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TEXAS ANNEXATION SENTIMENT IN MISSISSIPPI, 1835-1844

JAMES E. WINSTON

It was to the settlers of the south and the southwest that the Texas leaders looked for sympathy and support in the struggle against Mexico; and Mississippi, as did the rest of the Southern States, rendered the cause of Texan independence material support in men and money, bought Texas scrip, defrayed the expenses of a Methodist mission to Texas, and championed the cause of the struggling Texans through the public prints and upon the platform. One of the most disinterested figures that one comes across during the period of the Texas revolution is John A. Quitman, whose zeal for the cause of the struggling Texans led him to make substantial sacrifices in their behalf. A typical instance of an adventurer embarking his personal fortunes in an enterprise that appealed to the adventurous spirits of every section is to be found in the case of Felix Huston, who later became one of the most ardent advocates of annexation. He and Henry S. Foote, the author of a work upon the history of Texas, participated in a Texas meeting which was the earliest organized attempt to foster public sentiment favorable to Texas. This meeting was held at New Orleans, July 14, 1835, and was presided over by Huston, the resolutions being presented by Foote. Dr. Jas. F. Maclin of Vicksburg was secretary of the meeting.

The Texas revolutionary leaders attached much importance to the help expected from the south and the southwest; this is a topic of frequent comment in their correspondence. Hunt writ-

ing to Henderson, the Texan Secretary of State, from Vicksburg in the spring of 1837, speaks of "our most important benefit—the warm and unanimous support of the whole South." He represents the Southern States as being so ardent for the cause of annexation "that failure to accomplish it will produce a dissolution of the Union."[1] Had it not been for the sympathy and material aid extended the Texan cause by Mississippi and her sister States, the story of the struggle for independence might well have had a different ending. Even before independence had been achieved, there were voices raised in Mississippi advocating annexation. In a speech delivered at Raymond, a small town not far from Jackson, in September, 1835, R. J. Walker—at that time a candidate for election to the United States Senate, and later one of the most forceful advocates of annexation—pronounced himself in favor of the acquisition of Texas by treaty, for this would give the South and Southwest six additional slave States, thus enabling the Southern States to maintain control of their "peculiar institution" by reason of their ascendancy in the Senate. Thus early was raised what was to prove the paramount issue in the campaign of 1844—certainly so far as Mississippi was concerned—and by the man who in that year succeeded in committing the Democratic party to a program of expansion which resulted in the election of Polk. While the issue as regards slavery and Texas may not have been clearly drawn prior to 1836,[2] yet at this time the question was given a sectional cast, and from this year slavery and annexation may be said to become associated in the minds of those who may fairly be taken as representing public sentiment in Mississippi.

Less than two months after the battle of San Jacinto, the Natchez *Daily Courier,* a Whig journal, in commenting upon the excitement occasioned among Southern members of Congress by the protest of John Quincy Adams that a proposed appropriation for the defense of the southwestern border was tantamount to a war carried on in Texas to re-establish slavery in that country, used the following language: "We feel assured that Texas *will apply to be admitted to the United States,* even though her inde-

[1]Garrison, *Dip. Cor. Tex.*, I, 208, cf. *Ibid.*, 1, 238-239, 270. Henderson, who had moved to Mississippi in 1836, joined the Texan army, was appointed brigadier-general, and was elected Secretary of State in 1837.

[2]Rather, *Recognition of the Republic of Texas,* 216-217.

pendence is established. The acquisition of Texas would give the South an equality in the Union by which she could maintain her rights and meet the North upon fair ground." This journal welcomed the Texas question as settling who were for "Texas and liberty to the South, or against Texas and white freedom in the South," and pointed out that the acquisition of Texas would give the South an equality in the Union by which she could maintain her rights, and meet the North upon fair ground.[3] The annexation of Texas is thus put solely upon political or sectional grounds. Eight years later this same journal was protesting vigorously against the annexation of Texas, but the subject had then become in Mississippi, as elsewhere, an exciting party question. The *Woodville Republican* in its issue of December 10, 1836, declared in favor of the annexation of Texas, since it would come in as a slave-holding State; it referred to the article in the Texas Constitution which formally declared all persons of color slaves for life as likely to be highly approved by those citizens of Southern birth who were disposed to emigrate to the new land of promise. In expressing regret at Governor McDuffie's attitude in regard to Texas, it declared that "the almost entire opposition to the recognition of the independence of Texas and annexation to the United States arises from a hostility to Southern institutions." It also called attention to the fact that Calhoun, in a speech at Columbia, S. C., had proclaimed that "Texas must be annexed to the Union," and to his clearly pointing out the vital importance to the South of acquiring the new territory.[4] The *Weekly Courier and Journal,* a leading Whig organ, pronounced in favor of the acquisition of Texas, and advised the purchase of Texas scrip from agents then in Natchez. It declared Van Buren and the whole junto of the Albany Regency decidedly hostile to the cause of Texas, and agreed with the Washington correspondent of the *New Orleans Bulletin* that what the North feared most was the enlargement of slave-holding territory. It warned its readers, however, that the admission of Texas into the Union might be prevented entirely by constitutional barriers.[5] Herein is foreshadowed one

[3]Quoted in the *Woodville Republican,* June 4, 1836.

[4]Issues of May 28, 1836; January 14, April 15, 1837, quoting the *Charleston Mercury.*

[5]Issues of February 10, 24, 1837; March 17, 1837.

of the leading objections to annexation on the part of the Whigs in the campaign of 1844.

Jackson's attitude on the Texas question called forth varied comment. The *Columbus Democrat* praised the presidential message of December, 1836, for its "mild, conciliatory and dignified tone," and in an editorial entitled "The Whigs against Texas" asserted that the new republic had nothing to expect from that party, but must look to the same Democratic party that brought in Arkansas and Michigan against the wishes of Webster, Biddle and the bank party.[6] The opposition aroused in Mississippi as in other Southern States by Jackson's anti-nullification proclamation and by his war on the national bank is reflected in the attacks that were made upon his policy and that of his successor in regard to Texas.[7] Thus we find the *Woodville Republican* which, as has been seen, was inclined to look with favor upon the acquisition of Texas, criticizing the attitude of Jackson as follows: "The President prates too much about neutrality. We should not be surprised if he were to oppose the annexation of Texas." This same journal made light of the reasons given by Jackson in his message for observing caution in recognizing the independence of Texas.[8] The most outspoken attacks upon the policy of the administration with regard to Texas came naturally from those journals representing extreme State right doctrines. The *Sentinel and Expositor* attacked the course of the Federal government in regard to Texas as inconsistent and vacillating. "It has paltered in a double sense both with Mexico and Texas, and every candid man must be disgusted when he reviews the course of the Federal government." Jackson's lack of zeal with reference to Texas was attributed to those items in Morfit's report which dealt with the limitations upon the executive's power of appointment and removal in the Constitution of the new republic. In general, Jackson's rule was characterized as a "reign of ferocious despotism, as equalling the despotic, vindictive and malignant tyranny of all the Tarquins." Governor McDuffie's attitude toward annexation

[6]Issues of January 7, July 8, 1837.

[7]Cf. Barker, "President Jackson and the Texas Revolution," *Amer. Hist. Rev.*, XII, No. 4, July, 1907.

[8]Issues of December 24, 1836; January 14, 1837.

was applauded as a "disinterested devotion to the immutable principles of justice and honor."[9]

The *Weekly Courier and Journal* quoted the Washington correspondent of the *New Orleans Bulletin* to the effect that "the President has taken as bold a stand as he dares to take at present, but Texas has the old man's heart after all"; the same journal's declaration that Van Buren and the whole junto of the Albany Regency was decidedly hostile to the cause of Texas[10] was characterized as a palpable falsehood by the *Mississippi Free Trader,* as well as the story that it was owing to Van Buren's influence that President Jackson had not been more decided on the subject.[11]

Of deeper significance than the attacks of a partisan press upon Jackson's attitude in regard to Texas was the report in the summer of 1837 of a select committee of the Legislature to which had been referred a memorial of sundry citizens of Hinds county relative to the expediency of receiving Texas. It was the sense of the committee that "the annexation of Texas is essential to the future safety and repose of the Southern States" and as securing "an equipoise of influence in the halls of Congress." The committee declared in regard to slavery:

> This system is cherished by our constituents as the very palladium of their prosperity and happiness, and whatever ignorant fanatics may elsewhere conjecture, the committee are fully assured, upon the most diligent observation and reflection upon the subject, that the South does not possess within her limits a blessing with which the affections of her people are so closely entwined and so completely enfibered, and whose value is more highly appreciated. . . . To this system we owe more than we can well estimate of domestic comfort and happiness.

The Mississippi Senators and Congressmen were requested to further annexation at as early a date as practicable, and the resolutions of the committee were unanimously adopted by the Legislature.[12] Memucan Hunt, the Texan minister representing his government at Washington, laid great stress upon the necessity of annexation if the peculiar institution of the Southern States was

[9]Issues of January 3, 17, 24; February 7; March 14, 1837.

[10]Issue of February 10, 1837.

[11]Issue of September 1, 1836.

[12]*Niles' Weekly Register,* LII, 258. Cf. Cleo Hearon, "Mississippi and the Compromise of 1850," *Miss. Hist. Soc. Pubs.,* XIV, 14.

to be secure from the attacks of the fanatical spirit of abolition. To his government he represented that certain Congressmen from the South favored a dissolution of the Union and the acquisition of Texas as preferable to being in the Union without Texas.[13] No such radical sentiments as these were avowed by leading Mississippi journals or representative spokesmen in the years immediately following the achievement of Texas independence; and even in the heat of the campaign of 1844 similar views were in the main confined to the radical element,—the so called "left wing" of the Democratic party. One of the conspicuous champions of this point of view was Felix Huston, who bore a prominent part in the affairs of the Texan army in the years immediately following the acquiring of independence. Writing to Henderson, the Texan Secretary of State, from Vicksburg in the spring of 1837 with reference to J. Q. Adams presenting in the House of Representatives a petition from slaves, Hunt asserted: "I know of no circumstance which has so much increased the zeal of Southern politicians for us as this." On the other hand, Texan representatives expressed to their government the apprehension entertained by them as to the danger to annexation from "Northern and Eastern jealousy and Abolition."[14] In a similar vein the *Port Gibson Correspondent* declared the citizens of the South should favor annexation in opposition to the fanatics of the North.[15] The *Brandon Republican,* an exponent of extreme State right views, indulged in intemperate language at the thought of the South's losing what it termed the finest country in the world in consequence of the hostility of Northern abolitionists. "Shall we lie supinely on our backs, and permit the North to bind us in chains? Whatever is now proposed in Congress calculated to advance the interest of the slave-holding States meets with the deadliest opposition from our *loving brethren* of the North."[16] Two years later, Thomas H. Holt, a prominent citizen of Natchez, urged that Van Buren should be elected on account of his opposition to abolition, since this was a subject of greater importance to the South than any other agitating the public mind.

One of the arguments brought against Harrison in the cam-

[13]Garrison, *Dip. Cor. Tex.*, I, 316-317.

[14]*Ibid.*, I, 209, 81.

[15]Issue of April 28, 1838.

[16]Issue of June 6, 1838.

paign of 1836 by the hard pressed supporters of Van Buren in Mississippi was that he was unsound on the question of abolition. The committee of the Democratic convention issued an address in that year in which they endeavored to show that the contest was really between General Harrison and the regular Democratic nominee, Judge White being merely a stalking horse for the former. The address charged the Whig nominee with advocating the purchase of the slaves with the surplus revenues of the Federal government; on the other hand the committee pointed out that Van Buren's *casting vote* on Calhoun's bill to prevent the transmission of any abolition document by mail should entitle him to the heartfelt gratitude of every citizen of Mississippi; "and we ask you," the address continued, "cannot a Northern President opposed to abolition do more to put it down than any Southern President." Though a political manifesto the address spoke nothing but the sober truth in declaring, "No man has been subjected to so much calumny and persecution as Mr. Van Buren"; and it might have added, "and with so little reason." In the campaign of 1844 the Democratic journals within the State proclaimed over and again that the success of the Whigs meant the triumph of abolition, and that the election of Clay would be tantamount to a condemnation of slavery as a public wrong. Not only was the Whig nominee supported by pronounced abolitionists of the North, it was asserted, but Clay by his attitude on the Texas question and by his remarks prejudicial to the institution of slavery had shown that he would prefer to lose a few honest Whig votes at the South rather than sacrifice the support of his abolitionist allies at the North.

One explanation of the deep concern as to the future of slavery is to be found in the belief that the slave interests of the South were being jeopardized by Great Britain's advocacy of abolition in Texas. The *Weekly Courier and Journal* avowed it was not surprised at the British government's schemes in Texas, inasmuch as that country had had its emissaries prowling through the Southern States.[17] The *New Orleans Bulletin* deplored the fact that the Texans were ready to sell themselves "to our most inveterate, subtle and bitter enemy," all of whose sanguine expectations were to be fulfilled through "the quickened efforts of English in-

[17]Issue of May 24, 1843.

tervention in Mexico." The *Woodville Republican,* in commenting upon the editorial containing the statements just quoted, asserted its belief that "the stupid restrictive laws of this country have induced the government of Great Britain to attempt a reconciliation between Mexico and Texas, in order to enable the latter country to furnish British factories."[18] In a letter to Col. John A. Rogers, Felix Huston, who was then in New Orleans, referred to British influence which was exerting itself in Texas in relation to slavery;[19] the writer was one of those who in the campaign of the following year dwelt insistently upon this danger as a reason for immediate annexation. As the year wore on, the apprehensions of Misssissippi editors as to England's abolitionist designs increased. The *Mississippi Free Trader* in its issue of September 13 declared that the change of attitude on the part of Texas touching annexation now constituted a full warrant for the measure on our part; opposition to annexation was growing; kindred blood, the common defense of republican institutions,—not to mention other considerations—demanded annexation; while above all, the intrigues of Great Britain must be checkmated. On the other hand, it was a consolation to know that our government had its eye on English designs in Texas, and every confidence was expressed in Tyler's firm determination to defend American interests on the broadest possible scale. A little later the same journal expressed itself as follows: "We have every reason to believe that President Tyler designs making this the grand measure of his administration."[20] The surmise of the writer was to prove correct; but, as has been pointed out, it was not because Great Britain's ascendancy in the Southwest was a menace to the national interests of the United States that Tyler's zeal in the cause of annexation is to be explained, but rather because the interests of slavery were involved.[21] It is only in rare instances that one comes across in Mississippi journals protests against England's interference on the grounds of its being a violation of the Monroe Doctrine; what was feared was the general emancipation of slaves in Texas through English capitalists advancing the money

[18]Issue of May 6, 1843.

[19]*Mississippi Free Trader*, May 10, 1843.

[20]Issue of November 1, 1843.

[21]Cf. Reeves, *Diplomacy under Tyler and Polk*, pp. 128-129.

and taking as security therefor liens upon the public domain.[22] The mere rumor that the abolition of slavery was being discussed by the large landowners of Texas, the places of the slaves to be taken by emigrants from the free States and from England, led leading papers to declare that such action would be a deadly stab at the peace and security of the South, whether accomplished by British influence or by traitorous Americans.[23]

What is more surprising is to find leading Whig journals aroused over the attitude of the abolitionists, though, as a rule, they deprecated discussion of the danger to the South from this source, and professed greater abhorrence for the disunionist threats coming from South Carolina than for the Northern abolitionists. In its issue of November 29, 1842, the *Jackson Southron,* one of the staunchest Whig journals in the State, in an editorial entitled "Abolition," urged that it was time for the South to look at her exposed condition; that man was worse than an assassin who would lend his influence to tear down the bulwarks of the Constitution and prostrate the fairest portion of our favored land; the posture of affairs was such that it behooved the South to consider calmly and deliberately her present and future condition. As a rule, the Whig party leaders of Mississippi never tired of protesting that the only safeguard for the domestic institutions of the South was to be found in the avoidance of any reference to the dissolution of the Union and in upholding the sacred Constitution,—the ark of liberty—as they loved to term it.

All of this goes to show that the designs of the abolitionists had awakened the deepest alarm in Mississippi as well as in other Southern States, and public opinion was quick to seize upon every fancied source of activity of that group. Thus there were those who were confident the East India Company was at the bottom of the abolition excitement, the object being to destroy American competition with India in the production of cotton by destroying the "system of associated labor in the South."[24]

Among the most ardent advocates of expansion and ever zealous in his defense of the peculiar institutions of the South was Senator Robert J. Walker. In an address issued to the people

[22]*Mississippi Free Trader,* November 9, 1843.
[23]*Ibid.,* April 5, May 10, 1843.
[24]*Mississippi Free Trader,* April 16, 23, 1843.

of Mississippi in the fall of 1839, Walker, who was a candidate for re-election to the Senate, in comparing the attitude of Clay and of Van Buren upon the Texas question, affirmed this to be a matter of the deepest concern to the people of Mississippi and the South. As on a previous occasion, he dwelt upon the fact that the acquisition of Texas would afford at least "six Southwestern States, and *new* States, and *slave-holding* States and anti-tariff States, securing to the South a preponderance in the Senate, whilst the North maintained its numerical superiority in the House, and thus giving us the checking power, preventing any hostile legislation to the great interests of either section, and rendering our Union perpetual. If this be not a question of vital interest to Mississippi, I know not what can be." On more than one occasion, when Texas was the theme, Walker's imagination was kindled to an unexampled pitch, and just as he indulged in some "tall speaking" on the subject, so some of his printed addresses depict in glowing terms the bright side of expansion, as the following extract indicates:

Whether Texas now is ever to be embraced within the Confederacy—whether her citizens, without leaving their own country, are ever again to return beneath the folds of the American banner—whether the dismembered streams and valleys of the Arkansas and Red Rivers are ever to be united with the Mississippi as a part of our common country—whether our banner is to float upon harbors now in Texas upon the Gulf, and upon the still more noble and glorious harbor of San Francisco upon the Pacific, the most secure, capacious and deepest harbor in the globe, and which must become a part of Texas, are questions now by us unfathomable. But never can I doubt that, with the aid of Mr. Clay, all this might have been and ought to be a portion of our glorious Union, rendering it a country upon which the sun of light and freedom would never set; for as the rejoicing rays of Heaven and Liberty together broke from the glad Atlantic in the East, upon the folds of the American Standard, their evening beams would be sinking in commingled glory from around our kindred banner stars, in the tranquil waves of the Pacific, at the western limit of this great Republic.[25]

Walker, as is well known, was one of the ablest and shrewdest advocates of expansion, and labored unceasingly in furtherance of the cause of annexation. Whatever derelictions may be laid to

[25]*Mississippi Free Trader,* October 1, 1839.

his charge, there is one respect in which he was perfectly consistent throughout his entire public career,—and that is his zeal in regard to expansion, an attitude which received the hearty endorsement of his constituents. As a member of Polk's cabinet, he urged upon the President at the time of the Mexican war the acquisition of the whole of Mexico.[26] In 1868 he advocated the purchase of Alaska, St. Thomas and St. John. In this connection, he gave utterance to the following statement: "I have never entertained any sectional views, or expressed any opinion but those which embrace the welfare of the whole nation."[27] With Walker, as with Benton, westward expansion was a passion. Throughout the period when the question of the annexation of Texas was uppermost in the public mind, he acted in accordance with the sentiment enunciated by Benton in criticizing the giving up of Texas by the treaty of 1819: "The magnificent valley of the Mississippi is ours with all its fountains, springs, and floods, and woe to the statesman who shall undertake to surrender one drop of its water, one inch of its soil, to any foreign power."[28] During the period when Walker represented Mississippi in the Senate,—that is, from 1835 to 1845—he advocated extreme proslavery views, in this respect going even further than Calhoun did; his pamphlet put forth in the heat of the campaign—"The South in Danger"—bears out this view. It should be said, however, that by some it has been maintained that at heart he had really no sympathy with the institution of slavery. It is one of the ironies of history that Walker, the zealous advocate of the annexation of Texas and the vehement defender of the slavery interests of the South, should later have been instrumental in balking the dearest hopes of the section he represented for a decade in Congress, by preventing the Southern Confederacy from obtaining a sorely needed loan in Europe. This was accomplished by his letters in the *London Times* in which he denounced Jefferson Davis as a repudiator of his State's obligations.

Time only increased the apprehensions of the slave owners of Mississippi as to the menace to the social and industrial fabric of the South from the propaganda carried on by those openly

[26]*Diary of James K. Polk* (ed. Quaife), III, 229.

[27]*Washington Daily Morning Chronicle*, January 28, 1868.

[28]Cf. Turner, *Rise of the New West*, 133.

hostile to the institution of slavery. In January, 1842, a select committee of five members was appointed by the lower branch of the Mississippi Legislature to take into consideration the special message of the Governor with reference to the admission of Texas. The House adopted a resolution upon the subject which had been passed by the Senate. This was as follows: "Resolved by the Legislature of Mississippi, that our Senators in Congress be instructed and our Representatives requested to use their best exertions to procure the Annexation of the Republic of Texas to the United States, and the same constitute one or more sovereign States of the Union." An amendment offered by the House, and concurred in by the Senate, provided that copies of the resolution should be sent to the Governors of the several States to be laid before their respective Legislatures. In the Senate the resolution in its final form was unanimously adopted, and it is significant to note that the demand for immediate annexation was sanctioned by several prominent Whigs, among whom were John J. Guion, Andrew Knox, Garret Keirn, B. G. Humphrey, Dr. Metcalf, of Adams, and Robert Montgomery, representing the counties of Madison and Yazoo. In the House there were sixty-two yeas for the resolution, including eight Whigs; the opposition mustered ten votes, nine Whigs and one Democrat.[29] While no avowal is made as to the motive for desiring annexation, it is safe to assume that those favoring the acquisition of one or more new States had in mind the increased political weight that would accrue to the South in consequence of more slave-holding territory being added to the Union. The Whig votes in favor of the resolution show that the annexation question in Mississippi had not yet become a party measure.

The significance of the acquisition of Texas so far as the South was concerned, was discerned in another quarter whence opposition to the proposed measure might be expected. In the same year in which the Mississippi Legislature for the second time put itself on record as favoring annexation, we find the Texan consul at London writing his government that London journals viewed annexation as so strengthening Southern interests that the North might be tempted to seek a counterbalance in Can-

[29]*Senate Journal*, 195; *House Journal*, pp. 504, 968-969.

ada.[30] Be this as it may, there can be no question that the fear of losing Texas had already aroused the keenest apprehensions in Mississippi before President Tyler by his message of December, 1843, made the subject of annexation a matter of bitter party strife. Mississippi constituted no exception to the opinion that was so widespread at this time,—namely, that Great Britain was directly interfering in the affairs of Mexico and Texas for the purpose of bringing about abolition within Texas itself, and of thereby being in a position to exert its influence in securing abolition within the Southern States. Whether Mississippians really believed, in 1844, that Texas must be annexed to the Union or become a dependency of England is a question that cannot be answered so readily; certain it is that the party journals within the State in the campaign of 1844 never wearied of repeating this as an argument for the immediate annexation of Texas. Anti-British sentiment was ever a factor that had to be reckoned with by American statesmen when incidents occurred that must needs be adjusted through diplomatic channels. If one may judge from the public prints, Mississippi entertained fully its share of hostility toward England; and the very thought of that country securing a foothold in the Southwest, or of using its influence to bring about abolition within the Republic of Texas was sufficient to touch the public prints in a most sensitive spot, and to call forth the most violent protestations on the part of the Democratic journals of Mississippi. On the other hand, the Whig journals were driven to declare that while they were opposed to immediate annexation, and while they denounced as "mummery and nonsense" the notion of annexation being made a paramount issue of the campaign, yet if it could be shown that England or any other European power had any designs upon Texas, they were ready to join hands with their Loco-foco brethren in appealing to arms to repel the ambitious designs of any foreign power. It is an interesting fact that, while the great body of slaves within Mississippi as in other States of the lower south were owned by the Whigs, the most vehement protests against England's supposed abolitionist designs came uniformly from Democratic journals. The *Mississippi Free Trader,* one of the chief spokesmen of Democratic interests, complained that practically the only op-

[30]Garrison, *Dip. Cor. Tex.*, III, 951.

position in the slave-holding communities to the annexation of Texas came from the Whig press,—which party as was well known contained almost all the rich planting interests of the State.[31]

"As abolition gained in the North, pro-slavery gained in the South." There was a time when schemes for colonizing the negro in his native abode had met with a certain amount of favor in Mississippi, and the subject was still being discussed in a perfunctory kind of manner. Attention has been called to the emphatic statement of the Legislature on the blessings of slavery in the year succeeding the attainment of Texas independence. In commenting upon Professor Dew's little volume upon the subject of slavery which exerted such a profound influence upon the attitude of Southern men toward that institution, the *Pearl River Banner* affirmed "the time for emancipation has not yet arrived and perhaps it never will."[32] Seven months before the appearance of President Tyler's message upon the subject of annexation, the Legislature of Mississippi again put itself upon record in no uncertain tone as to the significance of slavery and annexation in the following language:

But we hasten to suggest the importance of the annexation of Texas to this republic upon grounds somewhat local in their complexion, but of an import infinitely grave and interesting to the people who inhabit the southern portion of this Confederacy, where it is known that a species of domestic slavery is tolerated and protected by law, whose existence is prohibited by the legal regulations of other States of this Confederacy; which system of slavery is held by all who are familiarly acquainted with its practical effects, *to be of highly beneficial influence to the country within whose limits it is permitted to exist.* The committee feel authorized to say that this system is cherished by our constituents as the very palladium of their prosperity and happiness; and, whatever ignorant fanatics may elsewhere conjecture, the committee are fully assured, upon the most diligent observation and reflection on the subject, that *the South does not possess within her limits a blessing with which the affections of her people are so closely entwined and so completely enfibered,* and whose value is more highly appreciated, than that which we are now considering.[33]

[31]Issue of December 13, 1843.

[32]Issue of January 6, 1838.

[33]*Niles' Weekly Register,* LXIV, 173.

Language could not be more explicit than this. The questions of slavery and annexation are linked together in a manner that almost approaches solemnity. Hence it is not surprising to find that in the exciting political campaign of the following year the argument upon which more stress is laid than any other by the spokesmen of the Democratic party within the State, is that the annexation of Texas is of supreme concern to the South if that section is to retain its power in the councils of the nation. Otherwise, what safeguard would the South have for the preservation of its huge property rights, menaced as they now were by the rising tide of abolitionism? The bulk of the Whig party in Mississippi naturally put consideration of political expediency above their real desires in regard to annexation. The sentiment of the party in the State is accurately reflected in the statement of one of their leading journals on the eve of the Presidential campaign of 1844: "We go for Henry Clay, Texas or no Texas."[34] On the other hand, there were those in the party who claimed to uphold a purer tradition of Whiggery than many of the rank and file who had come to accept unreservedly the doctrines of a protective tariff and internal improvements; and members of the State rights group of the party voiced sentiments in regard to slavery similar to those proclaimed by the Legislature of Mississippi in 1837 and in 1843, and which had come to be generally accepted in the South. Thus we find one styling himself a "Whig of the country" writing as follows: "The true Southern men will know that in him [i. e., in Calhoun] they have a true and undoubted friend who will stand by them in every emergency, and one, too, who does not believe slavery to be *'a great moral evil,'* but, on the contrary, maintains it the true condition of the negro race, and that it is a blessing to the master and the slave."[35] Long before this Calhoun had become the undisputed leader of the plantation interests of the South; and to "the great champion of the South and Southern interests" those men of Mississippi turned who believed "the Oregon and Texas questions to be of deep and lasting moment to the South and West, upon the issue of which rested the perpetuity of Southern domestic institu-

[34]The *Constitutionalist*, May 15, 1844.
[35]*Woodville Republican*, July 15, 1843.

tions."[36] By the radicals of Mississippi the great South Carolina statesman was repeatedly acclaimed as "the bold and fearless asserter of our rights." Six years before Calhoun's public pronouncement upon the subject of Texas,—that is, in 1837—he declared that to refuse the Southern and Western States to "increase their limits to population by the acquisition of new territory or States . . . would be contrary to that equality of rights and advantages which the Constitution was intended to secure."[37] The fact that Calhoun had been outlawed by the Jackson supporters endeared him all the more to the editors of those journals in Mississippi that espoused the doctrines of State right. Thus the *Brandon Republican,* in extolling him as an honest politician, asked: "Who broke the chains which bound us to the North? J. C. Calhoun. Who taught us the salutary doctrines of States Rights? Who for many long years defended and upheld the interests of the South? By some Whigs he has been called a traitor to his country. If he is a traitor, every *Southerner* is a traitor."[38]

Thus, as Professor Garrison says, "slavery was forcing itself into notice as the fundamental issue of American politics, and the contest over the right of petition was rousing an antagonism to the institution in the North that acted with paralyzing effect on the instinct of expansion."[39] The activities of "Old Malediction," as the extreme partisans of the Democratic party in the State termed John Quincy Adams, served on the other hand only to strengthen the demand for annexation.

Upon one thing the members of the two great parties within the State were agreed,—namely, the benefits accruing from slavery—though they differed as to what were the best means for perpetuating or rather safeguarding that institution. In regard to annexation, a conservative element of the Democratic party within the State joined hands with the Whigs in protesting against immediate annexation regardless of the consequences that might ensue; the rank and file of the party was ardent in its demand for immediate re-annexation, primarily on account of the

[36]*Holly Springs Guard,* February 14, March 27, 1844; *Columbus Democrat,* February 1, 1845.

[37]*Cong. Globe,* 25 Cong., 2 Sess., 55.

[38]Issue of April 25, 1838.

[39]Garrison, *Westward Extension,* 90.

slavery question involved, though, as has been noted, the Democrats owned few slaves; while a radical element led by Felix Huston, a former Whig, threatened secession and disunion if annexation were delayed. About ninety per cent of the Whig party in the State—roughly speaking—opposed immediate action in regard to Texas, chiefly because their great leader did; the other ten per cent bolted the party when it came to voting against Texas; and it may safely be said that when it was all over, and Texas was within the Union, not one-tenth of one per cent of the Whig party within the State would have undone the result.

While the desirability of acquiring Texas was put chiefly upon sectional grounds, other arguments were adduced by its advocates in Mississippi in favor of annexation. In the campaign of 1844, practically every argument is urged with which the student of this period is familiar; much stress was placed upon the economic advantages that would accrue to the country as a whole and to the South in particular. The report that Great Britain was considering the recognition of Texas led the *Woodville Republican* to observe that Texas as an independent State would be enabled to compete with the United States in supplying Europe with cotton; the higher duty exacted upon the goods purchased by the cotton of the South by the national government would drive much of the planting capital of the Southwestern States to Texas. Great Britain needed Texas cotton; hence her interest in seeing a permanent government set up in that country. "Will the cotton planter take a hint? or plunge headlong into ruin to gratify the vaulting ambition of a party favorite."[40]

From the above it is clear that there existed in Mississippi, as in every other Southern State, a keen and large body of sentiment in favor of the reception of a great slave-holding community by the United States; but in Mississippi as elsewhere in the South, during the years that intervened between the attainment of independence of Texas and the appearance of Tyler's message upon the subject, opposition manifested itself in connection with annexation. The attitude of Governor McDuffie of South Carolina has been frequently commented upon. Upon his retirement from office in 1836 he made use of the following language: "You are doubtless aware that the people of Texas, by an almost unanimous

[40]Issues of May 5, 1838; October 8, November 26, 1842.

vote, have expressed their desire to be admitted into our Confederacy, and application will probably be made to Congress for that purpose. In my opinion Congress ought not even to entertain such a proposition, in the present state of the controversy."[41] No such outspoken opposition as this has been met with in the case of Mississippi until the question of annexation became a violent party issue in the campaign of 1844 when, for political reasons chiefly, the Whigs were forced to assume the role of an opposition party in consequence of the stand Clay had taken upon the subject. Then there were those in the South who pointed out that a greater future awaited Texas as an independent State than as a member of the American Union. In the same year in which Texas independence was achieved, Wharton wrote Austin: "Our friends," said he, "those in Louisiana, Mississippi, and Kentucky oppose annexation on the grounds that a brighter destiny awaits Texas," which as a State of the Union would be oppressed by higher tariffs and other Northern measures.[42] Attention has been called to the fact that among those who believed that a brighter destiny awaited Texas as an independent Republic were Alexander Jones, a physician, author and inventor of some note; and Joseph Riddle, Jr., of Holly Springs, a lawyer. In the *Lamar Papers* is to be found a long letter from Riddle bearing date of January 10, 1839, to President Lamar. In this he congratulated him on the opportunity that an independent Texas would have for free and direct trade with Europe,—a matter to which attention had been directed by various journals and correspondents within the State during the past two years.

In his inaugural address of December 10, 1838, Lamar spoke coldly with reference to annexation: "I have never been able myself to perceive the policy of the desired connection or discover in it any advantages either civil, political, or commercial, which could possibly result to Texas." The *Woodville Republican,* in commenting upon his address, held that no considerate man could censure Lamar for desiring to avoid the strife and injustice which had been and was likely to be the lot of the slaveholding States. The injustice referred to was the protective tariff which levied a tax upon the Southern planter for the bene-

[41]*Niles' Weekly Register*, LI, 229-230.

[42]Garrison, *Dip. Cor. Tex.*, I, 152; cf. *Ibid.*, III, 1495.

fit of the Northern manufacturer. Texas, on the other hand, might become a land of uniform taxes, where a "pure system of free trade might be adopted."[43]

Expressions of sentiment such as these indicative of indifference or hostility to Texas becoming a part of the United States were the exception, however. Two months before the appearance of President Tyler's message upon the subject, the *Mississippi Free Trader* declared the time had arrived for the United States to take action in relation to annexation; aside from other considerations, the intrigues of Great Britain must be checked. As indicated above, this was to be one of the stock-in-trade arguments put forth by the Democratic organs in the State as a reason why Texas should be incorporated within the Union, and that right speedily. This same journal deplored the fact that the clerical and college-bred classes in the United States were under English influences, the implication being that Great Britain's abolitionist designs in Texas were by them regarded with indifference. A few weeks later, the Washington correspondent of this same journal wrote his paper that the President would deal with the subject of annexation in his annual message: "The question will produce a most angry and bitter controversy, sectional and political. Every man not a *political abolitionist* will go for it."[44]

President Tyler's annexation message was published by the Mississippi papers a few days before Christmas of 1843; party journals were quick to discern its import touching the question of slavery; and predicted the hostility of the abolitionists as a matter of course to the views of the President in regard to Texas.[45] Already meetings of citizens were being held in the State in furtherance of annexation.[46] These were to increase apace with the coming of the new year. And the burden of the resolutions passed in scores of such meetings, representing almost every county in the State, is that without the annexation of Texas, or with the Southern States hemmed in between the free States on the northern border with a free State sustained by England on the southwestern border, "the history of the Southern States would soon be written."[47]

[43]Issue of December 29, 1838.

[44]Issues of September 14, 27; November 18, 1843.

[45]*Woodville Republican*, December 23, 1843.

[46]*Weekly Courier and Jaurnal*, December 13, 1843.

[47]Garrison, *Dip. Cor. Tex.*, II, 136; III, 1106.

THE APACHE IN THE SOUTHWEST, 1846-1886

BERTHA BLOUNT

For three hundred years the Spanish and Mexicans waged relentless war against the Apaches who returned all of their cruelty and hatred in double measure. The Apache proved that he was neither to be subdued nor conquered as had been the Indians of Mexico, and the passing years widened the gulf that yawned between him and his would be masters. When the people of the United States looked with longing eyes upon the southwest, it was in utter ignorance of the tremendous problem that awaited them, —a problem that had proved the undoing of both Spaniard and Mexican before them. Prosperous settlements and thriving ranches had been laid waste by the indomitable Apache until his very name struck terror to the heart of man, woman and child. With an insatiable land-hunger and with a boundless faith in their own ability to master the situation, the people of the United States invaded the southwest, acquired Mexican territory and incidentally acquired some thousands of fierce and warlike Apaches, who must be conquered, restrained and taught a new mode of life ere the new possession could offer adequate protection to its inhabitants. From 1846 until 1886 the struggle went on between the Apaches and their new foes. Various plans for bringing order out of chaos were proposed and given trial and many lives were sacrificed before peace and order came to stay. The story of these forty years of conflict are full of human interest for they are the story of a strong and gifted people making a heroic struggle for their ancestral home and for their tribal freedom, longing with an intense longing to be allowed to live their lives in accord with the wild and savage customs handed down to them from their savage forbears. Arrayed against them were a people of virile stock, bearing aloft the torch of civilization and humanity but, being intensely human, their higher ideals had mixed with them baser desires of selfishness, hatred and greed, and it was largely due to these latter traits that the settlement was forty long years in coming.

Though the Apache had long been the bitter enemy of the Mexican, yet the citizen of the United States did not share the hatred

so generously given his southern neighbor. Indeed the Apache welcomed the United States as an ally during the Mexican War, for Mexico was their common foe. But the Treaty of Guadalupe Hidalgo wrought a great change; a change not at first recognized by the Apache. By the terms of the treaty, the United States assumed all responsibility for the protection of her newly acquired Mexican citizens and also for the enforcement of good-behavior by the lawless Apache, who was no more to be allowed to depredate south of the international boundary.

General Kearny's treaties.—While on his hasty march of conquest, General Kearny held meetings with representatives of the various tribes, including the Apaches, making treaties,—largely verbal,—with them. By these treaties the Indians were bound to submission and future loyalty, whereas the United States pledged itself, through its authorized representatives, to furnish them full protection against enemies internal and external. Scarcely had Kearny turned his back on the newly sworn friends than the Navajos, one tribe of the Apache family, began open depradations upon their sometime foes. Colonel Doniphan was dispatched to the Navajo country to secure the release of all prisoners and property stolen from the inhabitants of New Mexico and to secure adequate guarantee of future good conduct. The new treaty signed was but one of a series continuing through the years 1846-1867. Only the last one was worth the paper it was written on. Most of them were not even ratified by the Senate but that mattered not, for before that body had time to act the Navajos had already proven the written word valueless. Colonel Doniphan did succeed in leaving New Mexico before the Navajos again raided the settlements. Then followed the Taos Revolt which was in turn followed by a period of guerilla warfare in which the Apaches and Navajos took active part. United States troops were stationed in the new territory and to them was intrusted the public safety. During the years that followed these troops saw much active service, especially on short scouts and punitive expeditions against both Navajos and Apaches. During the earlier years of United States occupation the Navajos and Jicarillas were the ones most frequently in need of chastisement. Santa Fé and the Rio Grande valley were a constant temptation to the Navajo who quickly escaped from his raids into the

most impenetrable fastnesses of northwestern New Mexico. Scarcely less daring were the Jicarilla Apaches who found valuable prey in the travellers over the Santa Fé Trail.

In the early 50's when gold began to lure men to California, wagon trains began to wind their way through the mountains of New Mexico and Arizona to the golden land beyond. The almost incredible estimate of sixty thousand has been made for these weary travellers over the Santa Fé Trail and the southern trails leading from Texas. Privation and suffering attended their path, but worse than all else was the wily Apache who lurked behind rock and bush, showing no trace of his presence until unhappily the weary traveller was off guard or too weakened to successfully defend himself. Then the men of the party were slain and the women and children killed or carried into lives of slavery worse than death. All stock were much esteemed booty, for horses and mules were legal tender among the Apaches. Not only were they valuable as riding animals but they provided food,—mule meat being an exceedingly choice dainty,—and with them a man might buy his wives.

In March 1849, after Congress had created a new department, that of the Interior, and after it had placed the department of Indian affairs under it, the Agency at Council Bluffs was transferred to Santa Fé that there might be a base from which the government might hope to deal with the Indian problem in the new territory,—a problem which had by that time begun to assume rather large proportions. But the law-makers of the Union were too ignorant of the needs of the situation and even the local civil and military officials were too newly on the ground to be able to speak authoritatively. So the first decade of United States occupancy dragged on, punctuated here and there by treaties with the hostiles by scouts and the Military and by periodic punitive expeditions which failed before they started, in the big thing they sought to do because the number of the force was too inadequate to inflict a lasting blow.

One thing of incalculable importance marks this decade: this terra incognita became known. As the troops scoured the mountains in quest of renegades, they grew familiar with the country; they learned the contour of the land, the trails, the water courses and the springs. They penetrated the mountain fastnesses

where the Apache had long hidden himself secure from pursuit. And with this acquaintance with the country they acquired further acquaintance with their wily antagonist, whose habits and customs they must know before they could hope to control or conquer him. But the gain did not stop there. Various exploring expeditions were made and the boundary and railroad surveys plotted the map of the new territories. Thus passed the decade of the 50's. At its end the Apache problem seemed little nearer its solution for the enemy was even more avowedly an enemy than at the time of the conquest. But the United States had made definite progress.

One other beginning made by the United States during these years must be mentioned. In spite of the unsettled condition of the new territories, the influx of population had been considerable. The California immigrants, many of them, failed to reach the promised land and took up their abode where their exhausted resources or worn horses stranded them. Copper, gold and silver mines were opened in Arizona and drew the customary ambitious money seekers. The Vigilance Committee of San Francisco strenuously encouraged settlement of southern Arizona by expelling desperadoes from California.

This influx of population was for years apparently a source of weakness to the United States rather than strength, for the newcomers offered new temptations to the Apaches for depredations and they were ever in difficulty with the Apaches and were constantly complaining of the inadequacy of the military protection and of the efforts that were being made to control the Apaches. But in time, their presence helped to provide that evidence of power that led the Apache to see that his cause was hopeless.

Growing Apache hostility.—And while the white was thus gaining knowledge and getting ready for really grappling with the problem before him, what of the Apache? As the white began to gather in larger numbers in Apacheria and as the previously impenetrable fastnesses were penetrated and as the troops were inflicting punishment upon the Apache tribes, their attitude toward the United States changed. No longer considered allies, the people of the United States must be recognized as more dangerous foes than any who had come before. They were more numerous than the Spaniards had been and braver than the Mexicans were prov-

ing to be. The Apaches began to see that if they would hold their home in security they must be more wily than ever. But more potent than these things in changing the Apache attitude toward the citizens of the United States was the treatment that some of them received at the hands of the troops. Their confidence in the fair play and honesty of the United States received its first mortal wound.

In the spring of 1861 some Apaches stole a cow and a child from the Mexican mistress of an American. Seventy-five men were sent from Fort Buchanan to demand the return of the stolen property. At Apache Pass, under protection of a white flag flying over the tent of the commander, Cochise the head chief and five other chiefs entered for a talk. Upon their stout denial of all knowledge of the matter, the order was given to seize the chiefs. Cochise slit the tent with his knife and effected his own escape but the captive chiefs were hung in retaliation for the fighting that was begun immediately by the Chiricahuas Apaches. Years of bloodshed were the fruit of that act of American treachery.

The Civil War.—Almost immediately too, the Civil War broke out and the troops were removed from Arizona. This increased the Apache belief in the efficacy of their punishment of the United States troops and led to a general devastation of the whole region. Thus the close of the Civil War found all of the Apache tribes except the Jicarillas openly hostile. The Indians of the Gila country were united in hostility against the whites, planning their extermination.

Extermination attempted.—Because the situation was serious and because of lack of federal sanction for any plan suggested for the meeting of the situation, those in authority fell back upon the more stringent form of police duty which was in effect that of extermination. With this extreme measure General Carleton, then commanding New Mexico, seemed in full accord.

The Expedition against the Mescaleros.—The Mescaleros were the first to feel the force of the blow. An expedition was started against them under orders that the men were to be slain whenever and wherever found: the women and children could be taken prisoners but were not to be killed. The recalcitrant Indians finally

surrendered and were placed at Bosque Redondo until such a time as war against the hostiles should be finished when they were promised a reservation in their own country. Meantime they were promised protection at the Bosque.

The Mimbreños subdued.—The Mimbreño Apaches were the next to suffer. An expedition against them in January, 1863, resulted in the capture of Mangus Colorado and twenty of his warriors, many of his band having been slain. Mangus Colorado was their aged chief who for nearly five decades had been the dominant figure in his own tribe, having also broad influence over other Apache tribes. A man of marked ability he was, of wise councils and with the mind of a statesman. Of him it was said that he could collect under his direction and provide with the necessary food a larger group of warriors than could any other Apache chief. His capture and subsequent tragic death failed to increase the love of his tribe for the United States but did effectually stop the warfare for a time.

The Navajos conquered.—A third great expedition was planned and carried into effect—this time against the treacherous Navajos who had so long been on the war-path. Early results of the expedition were relatively so unimportant that it was finally decided to invade Cañon de Chelly,—their greatest stronghold. The invasion was apparently without results but as the Navajos saw that there was no place impregnable to the pursuing white, they gradually came in and surrendered themselves. They were placed on the Bosque Redondo where the Mescaleros were already gathered. And there they stayed until they were taken back to their own country four years later. The Navajo rebellion was truly at an end,—temporarily and permanently.

The joint expedition of extermination.—But these expeditions had not done away with the Apache problem though it had done much to pacify certain of the hostiles. So in the spring of 1864 General Carleton conceived the idea of a joint expedition to last from sixty to ninety days in which they would "either exterminate the Indians or so diminish their numbers" that they would cease their "murdering and robbing propensities and live at peace." Don Ignacio Pesquira, Governor of Sonora; Don Luis Perrazas, Gov-

ernor of Chihuahua, and the miners in the Apache infested regions all agreed to co-operate and place forces in the field. As a result of this combined effort some three hundred sixty-three Indians were killed and one hundred forty wounded. Allowing for loss of animals to the Indians, their foes made a net gain of ten thousand six hundred and forty-six head of stock. Two thousand Navajos were sent to the Bosque and thirty of the western Apaches also found their way there. Hostiles were still in the mountains and more bitter than ever against their would-be conquerors. And the war of extermination went on, the regular troops being ever stirred to greater activity.

Military re-organization.—When the Military was re-organized at the end of the Civil War and General Halleck was placed in charge of the Military Division of the Pacific under which Arizona lay, he said, "It is useless to negotiate with these Apache Indians. They will observe no treaties, agreements, or truces. With them there is no alternative but active and vigorous war, till they are completely destroyed, or forced to surrender as prisoners of war."

His successor General Ord was an even more enthusiastic exterminator. His own words reveal only too clearly his attitude and the course of events in the latter 60's. "I encouraged the troops to capture and root out the Apaches by every means, and to hunt them as they would wild animals. This they have done with unrelenting vigor. Since my last report (1868) over two hundred have been killed, generally by parties who have trailed them for days and weeks into the mountain recesses, over snows, among gorges and precipices, lying in wait for them by day, and following them by night. Many villages have been burned, large quantities of arms and supplies of ammunition, clothing and provisions have been destroyed, a large number of horses and mules have been captured, and two men, twenty-eight women, and thirty-four children have been taken prisoners." That mercy found little part in the treatment the Apache received during these dark days is evident. That gross injustice and bitter cruelty did find place is all too evident. Repeated instances of this might be cited but one will suffice, the one chosen being a story which in its repetition in the east, did much to bring about a change in government policy regarding the Apache.

The Camp Grant Massacre.—A band of about one hundred fifty Arivaipa Apaches had presented themselves at Camp Grant expressing a desire for peace. Lieutenant Whitman, then in charge of Camp Grant, agreed to allow them to locate there temporarily, while he should communicate with the proper authorities and learn what disposition should be made of them. Meantime he promised to feed and protect them. Word was brought to Whitman that a large party of "Americans, Mexicans and Papago Indians" had left Tucson with the "avowed determination of killing these Arivaipas." He at once sent orders to the Indians to come in to the post where they could be adequately protected. But his messengers were too late, for the attacking party had surprised the camp and already the place was strewn with the mutilated bodies of women and children and their lodges were in flames. The men were mostly away at the time of the attack; of the one hundred twenty-five killed or missing, only eight were men. Though one hundred of the perpetrators of this crime were indicted and brought before the United States District Court for trial, a deliberation of twenty minutes was all the jury needed before bringing the verdict, "Not guilty." The press and the people of Arizona justified or apologized for the crime.

As the story of this atrocity was repeated in the east, and with it others no more to the credit of the white men, sympathy for the poor abused Apache crowded largely from the mind the thought of the crimes that had dyed the hands of the Apache red. In 1867 a Commission had been sent to New Mexico to settle the Navajo question and it had successfully transferred the Indians back to their old homes, establishing them there on a reserve where they began a new life of agriculture and sheep-raising, gradually forgetting the former life of pillage and atrocity. Why might not the same thing be done for the rest of the Apache family rather than to continue this cruelty and injustice that were placing such a stain on American honor?

The mission of Mr. Colyer.—With plenary powers, Mr. Vincent Colyer went in 1871 to New Mexico and Arizona hoping great things. But he found no echo of that hope in the expression of the press and the people—especially in Arizona. All were bitterly and actively hostile to him and to his mission of peace. The Indians

themselves had had their faith in the friendliness and fidelity of the white man so badly shaken that it was difficult to hold satisfactory conferences with them.

Four reservation were selected for the Apaches: at Tularosa, New Mexico, for the Mimbreños and Coyotéros; at Camp Apache in the White Mountains of Arizona for the Coyotéros and Chileons of Arizona; at Camp Grant, Arizona, for the Arivaipas and Pinals; and at Camp Verde, Arizona, for the Mojave Apaches of Yanpais. Also three temporary asylums were established for the protection and feeding of other Apaches until such a time as they could be moved to permanent reservations. These three were at Camp McDowell, Beal's Springs and Date Creek. These were primarily for the Tonto Apaches, Hualpais and the western band of Apache Mojaves.

The military and local officials tried to carry into effect the reforms instituted by Mr. Colyer but the results were far from satisfactory to themselves and to others. Cochise and his band were actively hostile in the south, the children of the Apaches who were taken into captivity at the time of the Camp Grant massacre were still unrestored to their people, the Mimbreños and Coyotéros who had been transferred to Tularosa were far from happy there and longed to return to their old homes. So, in February, 1872, General O. O. Howard was sent out with powers similar to those of Mr. Colyer that he might carry into effect as far as he was able the views of the Department in regard to the nomadic Indians, especially considering the propriety of uniting and settling these Indians on a reservation further east in the territory of New Mexico. General Howard was more successful than his predecessor had been in winning the confidence of whites and Indians and his suggestions were consequently more in line with a possible course of procedure. At his recommendation, six Apache children who were held by whites in Arizona were returned to their relatives: this won the confidence of the Indians at the very beginning. The Camp Grant reservation was discontinued because of the unhealthy character of the place, and in its stead a new agency, called San Carlos, was formed on White Mountain reservation. A reservation was set apart in southeastern Arizona for the Chiricahuas after General Howard had succeeded in meeting Cochise and making a treaty with him. It is noteworthy that this treaty was faithfully kept

by this hoary warrior of unsavory reputation and by his people. Nor was it set aside until the United States saw fit to do so that the Chiricahuas might be moved back from the international boundary. But that is a later story. One other thing stands to General Howard's credit. He encouraged Superintendent Pope to make an experiment with Navajo police under the leadership of their respected chief, Manuelita. That this experiment was wholly satisfactory was the cause of its spreading to the other reservations and other tribes where it finally became a part of the regular means of control of the Indians. General Howard also abolished the Indian feeding posts at McDowell, Beal's Springs and Date Creek and allowed the Tontos to take their choice between the White Mountain reservation and the Verde reserve. The Indians at Tularosa he still left there that the trial might be fairly made of that place, for the officials were bravely trying to prove that their choice of place for the reservation was a wise one. But try as they might, it was a failure, for the Indians did not and would not like the place and the larger part of them would not remain on the reserve. So in 1874 it was ordered that the Apaches there be transferred back to the vicinity of their former home,—to Ojo Caliente. There they settled down to lives of contentment and quiet.

Thus by 1874 some of the more vexing of the Apache troubles had found settlement. There were still renegade bands in the mountains and the troops and Apache scouts saw frequent service in consequence. But the number of Apaches living quietly on reservations and learning the pursuits of civilized life had never before been so large. The most sanguine saw bright visions for the future. But already a cloud "like a man's hand" was to be seen in the sky and soon the storm burst upon the red man and the white.

Concentration reserves instituted.—Arizona and New Mexico had been rapidly filling with new settlers. Many of these had settled on lands occupied or at least claimed by the Indians. The lands were desirable and the whites wanted a chance to hold them in lasting possession. The Indians, they thought, were not adequately occupying them and the pressure was very strong upon the government to remove the Indians from these lands and thus give them to the whites to occupy and improve. Furthermore the officials

believed that the hostile tribes surely could be more easily and economically controlled were they corralled on more or less limited tracts of land where it would be possible to supervise them more closely. For these reasons it was decided to begin to concentrate the Indian tribes on certain reserves selected for them. Concentration reserves were not unthought-of before this time but the time for attempting their inauguration had not before seemed ripe. Ownership of the land in severalty and the extension over the Indians of United States law and the jurisdiction of the United States courts were a part of the ultimate plan.

The Verde reservation abandoned.—The first transfer gave the Verde reservation to the whites and transferred the Tontos living there to San Carlos. With true courage the Indians there had begun their new life. Without adequate implements they had dug ditches and planted crops. Their lands had been promised to them by General Crook and they were unwilling to leave them. He himself refused to give military aid in transferring the Indians by force for he felt the injustice of the action. Though reluctant, the Indians submitted peaceably to the transfer.

The White Mountain Coyotéros removed.—More unjust still was the removal of the White Mountain Coyotéros from their homes in the White Mountains to San Carlos. They had steadfastly maintained a peaceful attitude toward the whites, assisting in the capture of hostiles. Comfortably located in their secluded mountains, these Indians were regularly raising greater crops than all of the rest of the Apaches put together. But that the cost of the agency administration might be lessened and that the trade of these Indians might be diverted from New Mexico to Arizona "where it properly belonged" the transfer was made and all former promises were set aside. A majority of the White Mountain Coyotéros refused to move but the rest were finally prevailed upon to migrate. The state of their minds is clearly read in the sanguinary quarrel that added to the general confusion and discomfort of the journey. The hostility of the Pinals who were already at San Carlos and with whom the White Mountain Coyotéros had a hereditary feud, led many of these newcomers to leave San Carlos in the fall of 1875 and seek refuge with their cousins on the Chiricahua reserva-

tion. But a quarrel there between the two tribes resulted in the death of a Chiricahua chief and again the Coyotéros were forced to seek refuge elsewhere.

The Chiricahua reservation abolished.—The Chiricahuas were the next victims of the concentration policy. With the reputation of being the most warlike of the Apache tribes, and with a history fairly reeking with bloodshed and cruelty, the Chiricahuas had faithfully kept the pledges of peace that they had made to General Howard in 1872. They seemed in fact to have "buried the hatchet" as far as the United States was concerned. Frequent raids were made into Mexico and many were the victims to their prowess there and many were the horses and mules that they brought back to their reservation homes. But that was no violation of their treaty.

On one of these raids into Sonora gold-dust and silver were secured. Desire for this led a man, Rogers by name, living at Sulphur Springs, to let them know that he had whisky in his home. Orders from the agent were strict that no whisky was to be sold to the Indians but that made no difference to him. Repeatedly he sold to the Indians and when he finally refused to sell more, they shot Rogers and his cook. The Indians then stole some horses, ammunition and whisky and returned to their camp in the Dragoon mountains. The agent and a troop of cavalry went to the scene of the murder and then sought to follow the murderers. Finding them too securely entrenched in the mountains the expedition was abandoned for the time. Later the troops tried to find these hostiles but neither they nor their companions were captured.

Shortly after this preparations were made for the removal of the peaceful Chiricahuas to San Carlos. Because of the crime committed by a small group of Indians, acting under the influence of liquor illegally sold to them, the Chiricahua tribe was deprived of its rights on the reservation, that reserve was restored to the public domain, and the pledged word of the United States was set aside. Three hundred sixteen Chiricahuas reached San Carlos and about one hundred forty followed Gordo to Ojo Caliente; and some four hundred, led by Hoo, Geronimo and Nolgee, roamed the country from the Rio Mimbres to Santa Cruz, Sonora. But they wreaked a bitter vengeance on the country for the loss of their ancestral home and such a period of distress and bloodshed fol-

lowed as had not been since the days when Cochise and his warriors avenged the treachery of the troops in 1861.

The Ojo Caliente Apaches taken to San Carlos.—Unfortunate though the attempt had been to get the Southern Apaches at Cañada Alamosa to settle at Tularosa, the authorities were nothing loath to make another removal of them from their chosen place of abode at Ojo Caliente. The excuse was not hard to find. Renegades from the Chiricahuas had sought refuge with the Southern Apaches. With these Chiricahuas they had been associated in their frequent raids. Therefore in May, 1875, the Ojo Caliente Indians who had not fled at the suggestion of removal were taken to San Carlos and their reserve was restored to the public domain.

The Jicarillas Apache transfers.—The fifth transfer attempted was that of the Jicarillas to the Mescalero agency in southeastern New Mexico. A reservation had been set apart for them in northwestern New Mexico but no attempt had been made to place them on it. Then in 1878 came the order that "without delay" they should be transferred to the Mescalero agency. Only thirty-two actually made the move, for the rest refused to go to a place where anarchy was rife. That there was more truth than fiction in the charge against the Mescalero agency was apparent to those having the removal in hand and they winked at the Jicarilla insubordination hoping that the following year might bring orders for some different disposal of them. Southeastern New Mexico was become the home of the desperado class of Mexicans and Americans and organized bands of thieves made that their rendezvous, skillfully laying on the Apache all blame for depredations committed and property stolen. The Apache was evidently more sinned against than sinning at this particular juncture for the promised protection he found to be nothing of a protection and when he fled to the mountains for safety he was pursued by the Military and punished for his flight. No wonder the Jicarillas saw no gain in making their home in such a place.

Three years later the Jicarillas were ordered to move to their new reservation in northwest New Mexico and part of them did so. There they remained until 1883 when they were again ordered to the Mescalero agency. This time the transfer was effected

though a part of the tribe strongly objected. Three years later they were again moved back north to their own reservation where they have since been permitted to remain.

Consolidation had brought its losses and its gains: it was one step in the development of the southwest and in the meeting of the Indian situation. Consolidation had come to stay. With the exception of the Mescaleros and the Jicarillas, all of the Apaches were officially located at San Carlos and at Fort Apache—all on the White Mountain reserve. There they were making progress in civilized life, having laid aside most of their nomadic habits. Irrigation ditches, fences, houses, and fields of corn, wheat, melons and pumpkins were the index of their advance industrially. Educationally but a start had been made in the path of formal education. Many were the lessons the sometime savages had learned in the arts of peace. Most of their number saw that the new order had come to stay and that it was futile to struggle against it. With the increase of cultivated fields, they saw the loss of all, were they to take the war-path. Gradually they were coming to understand that by maintaining order on the reserve their own lot was bettered and very efficient was the aid given by the Apache police and Apache scouts.

But one very strong Apache chief with his followers was abroad in the mountains from which he made his hasty raids through southern New Mexico and Arizona and northern Mexico. Immeasurable damage had this Victoria already done and much more was his desire. In 1882 two steps were taken which in a word pronounced his doom.

For nearly forty years the international boundary had been one of the Apaches' assets. Any pursuing party could follow only that far. Once safe across that imaginary line, which the Apache found was a very effective rampart, he was safe. Ninety-nine chances to one there would be no troops within many miles of the place the hostiles entered the country and before the troops would have a chance to gather the quarry had fled to security in the mountains where the troops dared not follow.

General Crook's Campaigns.—By a treaty between the United States and Mexico troops of both countries might pursue fleeing savages across this international boundary in "unpopulated or

desert parts." This in itself was of incalculable importance and strengthened the hands of both countries. But this was not the only change effected in the year 1882. General Crook was again given command in Arizona. In the early 70s he had been in charge but at that time the Peace Commissioners were just beginning their work and the commander's duty was to carry out the plans of others rather than to himself undertake the settlement.

General Crook possessed a rare fitness for the task in hand. Long years of experience with Indians of other tribes and a brief experience with the Apaches themselves, tireless energy and dauntless courage were invaluable qualifications. But he possessed one other trait much needed,— a high sense of honor. Promises had been made to the Apaches; he felt that they should be inviolable. Never for a moment did he equivocate on the matter of Indian obedience to the white man—unless the white man was wrong in his demands. Then he took the Indians' side firmly and unchangeably. He was firmly convinced that the Apache must not only be established on some plot of ground but that he must be put to work raising something on it which would prove to him that the civilized mode of life was worth while. The Verde reservation, at the time of its abandonment, was expression in material form of this strong conviction of General Crook. For the hostile, Crook was ready with his own medicine: and General Crook's hostility was worthy of its name.

The important reforms that General Crook inaugurated upon his return to command were five. Every male Indian capable of bearing arms was required to wear constantly a metal tag of identification; the police force was re-organized and frequent roll-calls were required; from six to seven hundred White Mountain Indians were allowed to leave the hot valleys of the Gila and San Carlos rivers for their old homes in the White Mountains; conferences were held with disgruntled Indians and as far as possible their fears were allayed concerning the purpose of the United States to disarm them and remove them from Arizona; and preparations were made for an active campaign against the hostiles for it was reported to him that new attacks from the hostiles were already planned.

Early in March, 1883, two parties of hostiles left their stronghold in the Sierra Madre mountains of Mexico, one under Geronimo raiding Sonora to gain stock, the other under Chato crossing into

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the United States to gain ammunition. During the six days or less that Chato's party was in Arizona, at least nine men were killed along their trail which measured nearly four hundred miles. They safely eluded pursuit but the raid was a costly one to them. Not only did the Apaches acquire but little ammunition but also one of their number deserted and made his way to San Carlos. There he was arrested and later he became the guide who led the troops to the Indian stronghold in the Sierra Madre mountains.

Having orders to proceed "regardless of departmental or national lines" General Crook himself proceeded to Mexico to consult with the authorities there. In both Chihuahua and Sonora he found hearty co-operation and plans were made for movements against the hostiles.

Leading his command, General Crook crossed the roughest country imaginable, entered the "impregnable stronghold" completely surprising the Indians. After a furious fight the camps and their contents were captured: five half-grown girls and young boys were also taken. Through them communication was had with the rest of the tribe. The result was an unconditional surrender of these hostiles with their chiefs Geronimo, Chato, Bonito, Loco, Natchez and Kan-tin-no. These were taken to San Carlos and at their own request runners were sent out urging what others were scattered in the mountains to follow and surrender themselves.

The final outbreak and surrender.—After this for a period of more than two years Arizona and New Mexico had rest from warfare. That there would never be another Apache outbreak was confidently expected by General Crook and others in authority. But the memory of past wrongs was still fresh in their minds and confidence in the faith and justice of the government was not yet fully established. Then as added fuel to the smoldering flames came some difficulty over the making of tiswin, the native Apache intoxicant. For whatever reason or combination of reasons it may be, in May, 1885, Geronimo, Mangus, Nana, Natchez and Chihuahua, with less than fifty warriors and a double number of women and children, fled from the reservation trying to reach the safety of the mountains of Mexico ere the pursuing troops should overtake them. In this they were successful, but being hard-pressed even in those mountain fastnesses they again crossed into the United States. It began to

look as though the whole party would soon be captured or killed for their stock was almost exhausted. But Fortune gave them one more opportunity. By chance they came upon some of the best stock in the country, and helping themselves liberally to this unexpected gift, they made off again into Mexico.

Though exasperated beyond measure at this new turn in events, the troops pushed south after the fugitives and succeeded in capturing all of the stock and supplies of the hostiles though they did not destroy the Indians themselves. A conference for the discussion of terms of surrender was called for the following day. Before break of day, the United States troops were inexcusably attacked by a Mexican force and Captain Crawford was wantonly slain. This again delayed the settlement for General Crook must needs join his command first. The surrender was finally agreed upon, but the Indians held themselves constantly vigilant both day and night as if prepared for attack. When matters were finally agreed upon, the command started for Fort Bowie from which place the Indians were to be sent to Florida. En route Geronimo and Natchez again became suspicious and with a party of thirty-six fled one night.

The adverse criticism which had come to be General Crook's portion was even more generously bestowed as the result of this latest flight. He requested relief from his command and General Miles was ordered to assume command of the department.

Owing to war with the Yaquis, the Mexican government had been compelled to withdraw most of its forces from Sonora, leaving that people defenseless. Geronimo and his warriors assumed the offensive and made simultaneous attacks at three points in Sonora. They then invaded the United States again only to retreat south and west. Persistent pursuit and repeated losses led the Indians to urgently request that they be allowed to surrender to General Miles, the department commander. He joined his command and terms of surrender were agreed upon.

The prisoners were taken to Florida where Geronimo was put to sawing logs. After some time they were removed to Mt. Vernon, Alabama. Later they were again moved,—this time to Fort Sill, Oklahoma, where they now live. Contrary to the terms of the surrender, Geronimo did not see his family for two years.

Thus ended the Apache struggle of three and a half centuries,

—a struggle marked by cruelty, hatred and cunning. When he laid down his arms and acknowledged defeat it was only because he lacked men and equipment to carry on the strife. Time alone will tell whether or not the white man has been the only one who has gained in the settlement, or whether in return for his wild freedom and tribal entity there has come to the Apache a greater gain in new and higher ideals and habits of life. His past is past and the future is largely a sealed book.

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The foregoing article is a resumé of a study prepared as a Master's Thesis at the University of California under the direction of Professor Herbert E. Bolton. The study was based on the following documents and works:

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JOHN H. FONDA'S EXPLORATIONS IN THE SOUTHWEST

CARDINAL GOODWIN

The purpose of this paper is to make known a practically overlooked explorer and trader in the Southwest. John H. Fonda's "Reminiscences of Early Wisconsin" were dictated by him to the editor of the Prairie du Chien *Courier*, and appeared in that paper between February and May, 1858. In 1867 the editor of the Wisconsin Historical Society republished the narrative in volume five of the Society's *Collections*.[1] The document is divided into twelve numbers. Number one, covering practically the first seven pages, contains the data relating to explorations and trade in the Southwest. The other numbers in the series deal with events pertaining to Wisconsin in particular with occasional references to incidents relating to the history of the Northwest. The purpose of the present writer is to call attention to the first number in the series.

It must be admitted that the account is not altogether satisfactory. It is taken from the reminiscences of an old man who drew largely upon his memory for the information set down in the document. It is a narrative, too, which he evidently found great pleasure in relating on many occasions during the declining years of a long life. The part of the document summarized

[1]See the Wisconsin Historical Society, *Collections*, V, 205-284. The following note is placed at the head of the document by the editor, and is self-explanatory:

"The following series of historical papers were written by the editor of the Prairie du Chien *Courier*, as dictated by the aged pioneer, whose name they bear, and appeared in that paper, commencing with the number of February 15, 1858, and extending into May following. 'We would advise all,' says the editor, 'to read the Early Reminiscences, as they are extremely interesting, and contain many historical facts, that will pay for the time spent in perusal. The subject of these sketches has been in the West for over forty years, and thirty years a resident of Prairie du Chien. He has lived to see most of the early pioneers carried to the grave. His life has been an eventful one, abounding in incidents of travel, camp and field, that will prove interesting to our readers. They are as correct and truthful as memory can make them.

"Mr. Fonda was born in Watervliet, Albany county, N. Y., and is still residing in Prairie du Chien. We have the high authority of the venerable Rev. Alfred Brunson, of Prairie du Chien, for assuring the reader that 'Mr. Fonda's narrative is as reliable as anything of the kind given from memory.'"

here is by no means as complete as the student would like to have it. There are annoying hiatuses and exasperating omissions. There are incidents barely mentioned concerning which much is to be written before our knowledge of the history of the Southwest is complete. But with all its faults there appear to be three reasons which justify calling attention to the document in the SOUTHWESTERN HISTORICAL QUARTERLY. First, it contains information which is valuable to students of southwestern history; second, it is taken from a source which investigators in the field might pass unnoticed; and third, it is given in that source under a heading which has resulted in its being overlooked by those who have worked in the history of the Southwest. In the following account a summary of trade and explorations in the Southwest as given by Fonda himself is presented almost entirely in his own words. An attempt has been made to point out obvious and probable errors of fact.

It was probably in the spring or early summer of 1819 when Fonda joined a company that was leaving Watervliet in Albany County, New York, for Texas. They proceeded to Buffalo and from there by boat to Cleveland. Thence they journeyed south through Ohio to Cincinnati, from which place they floated down the Ohio and Mississippi rivers on flat boats to Natchez. Here the boats were traded for horses, a covered wagon, and a team of mules. Having provided themselves with a complete outfit and buried one of the members of the party who had died from an attack of yellow fever, they were ferried across the Mississippi by an old trader "who charged an exorbitant price for his services—so much so, that I remember the company went on without paying him."

If they traveled directly west from Natchez as Fonda claims they reached the Red River southeast of Natchitoches, and must have passed the latter on their way up that stream. They ascended the Red River to Fort Towson, in the southeastern part of the present State of Oklahoma. Here they camped near a small stream which Fonda says was called Le Bontte Run,[2] and the emigrants utilized the time to rest and to perfect their plans. They finally determined "to settle on the prairie land near what

[2]Fort Towson is on Gates Creek (Century Atlas), a small stream which flows into the Red River near the mouth of the Kiamichi river. This was undoubtedly the stream which Fonda calls Le Bontte Run.

they called the Cross Timbers, a tract of country watered by numerous streams, well timbered, and with soil of the richest qualities." And continuing Fonda says: "But the novelty of the journey, promised at the start, had been sobered down to a stern reality during the last six months, and instead of accompanying the party into the then Mexican territory, I remained with a Scotchman who had taken a Choctaw squaw for a wife, and kept a trading post on the head waters of the Sabine River. With this Scotchman I stayed during the winter of 1819, and in the spring of 1820, went down to New Orleans, with five *voyageurs,* to get a keel-boat load of goods for the Scotch trader, who had entrusted me with the business, for he took a liking to me, and knew no other person in whom he could put as much confidence. The Red River was a narrow, crooked, turbid stream, steep banks on either side, and filled with snags; but the winter rains had swollen it, so we floated down without accident."

Here Fonda spent "eight or ten weeks" collecting merchandise and trying to keep the French *voyageurs* out of trouble. They "would go to some of the low dance houses in the town, and spree all night, which made them useless all the next day; so in one or two instances I was obliged to hire creoles to assist in loading goods that have been brought to the river."

One evening after the boat had been finally loaded and the men had pretty well recovered from the spree of the previous night Fonda gave orders to move up stream, but they refused to obey. On the night of that particular day "there was to be a grand fandango" in town to which the men had determined to go. As a result Fonda was compelled to remain on board the boat all night as guard.

Next morning the men came staggering in, and threw themselves down on the rolls of calico and blankets, where they slept until afternoon. About two o'clock they had all got up, and were preparing some food, when I gave them to understand that we must start at sundown. They gave no answer, and, having ate, they went to sleep again.

As the sun was going out of sight, I roused the men, directing them to get out the tow-line, poles, and to run up stream. They paid no attention to what I said, but gathered around one of their number, a big half-breed, who insolently told me that it would be impossible for us to ascend Red River, because of the high

water and the strong current at this season of the year. I knew the fellow was lying, for I had seen the river the last summer, and knew that if we had any trouble it would be from low water. And I was obliged to give the man a severe whaling, tying his hands and feet, and threatening the others with a similar dose, before they would go to their duty.

The men worked steadily that night, part of the time towing and poling, and sometimes taking advantage of the eddies in the lea of projecting points. The big half-breed begged to be released the next morning, and made no more trouble during the trip. The boat soon entered Red River, where we found sufficient water to float us, but had to make a number of portages before reaching what is called La Grange, a small French settlement (the French claimed all west of the Mississippi in those days), but the men did not offer to leave at this point, for they paid strict obedience to me since I punished their leader, and were growing more respectful each day as we approached the end of our journey.

We started in June, and had been gone three months, and it being September, I was anxious to get back, for the goods were much needed at the trading post.

On the 23d of September (I kept a journal), we were met about twenty miles below the trader's block-house by one of his half-breed sons, who had come to take command of the keel-boat and crew, so I might go ahead and give in my report of the trip, before the boat-men had a chance to make any of their usual complaints. This custom was undoubtedly a good one, though I did not take advantage of it to the detriment of the men, but gave a favorable report of everything. When the boat arrived, Mons. Jones, as the old Scotchman was called, met them as they landed, praised the men for their faithfulness, and paid them what little might be due them, giving to each a trifling present. Now, I had observed while acting as clerk the previous winter, that a few beads, paints or cheap calicoes, would purchase many valuable furs; and after going down with the bale of skins, I had learned how, after receiving the cargo of goods, that a considerable sum was placed to my employer's credit, which made the fur trade appear very profitable in my eyes. So I readily agreed to receive what wages were due me, in goods, hoping to make a large profit on them. The old Scotchman did not seem overpleased with the goods I had selected by his direction; however, he paid me with some of them.

And thus ended my connection with the first and last expedition that I ever accompanied on Red River, or the lower Mississippi, and also the detailed account of it, which is as correct as memory will allow me to relate.

Throughout the fall and winter of 1820 Fonda says that he clerked for the Scotchman but that he had very few opportunities to sell goods on his own account. His employer had been "an *engage* of the Hudson Bay Fur Company, and was exceedingly grasping, and would not let me buy fur on private account, anywhere near the trading post." In order to find a market where he could carry on trade with the Indians without coming into direct competition with his employer, he made "several excursions among the Shawnee and Osage Indians, from whom I got a few packs of valuable fur.[3] But, though there was an excitement about a trader's life that had a charm for me, yet often, when camped by a sheltered spring, ambition would whisper, 'You have another mission to fulfill.'"

Following these whisperings of ambition occurs a leap of two years in the narrative. In the spring of 1823, "soon after the grass was well up," Fonda left for Santa Fé, "along with two fellows who had come up from New Orleans." He rode a "mustang colt" and placed his "trappings on board an old pack-mule." They traveled west "to the source of the Red River, through the Comanche country, north to the forks of the Canadian River where we took the old Santa Fe trail, which led us over and through the southern spur of the Rocky Mountains, to Santa Fe, where we arrived without any of those thrilling adventures, or Indian fights, that form the burden of many travelers' stories."

They saw no Indians at all except a party of "Kioways" with whom Fonda tried to carry on trade.

The exact route which Fonda took from the source of the Red

[3]During the month of May, 1819, Thomas Nuttall had made a trip from Fort Smith, Arkansas, to the mouth of the Kiamichi river. He had come with Major Bradford and a company of soldiers who, in obedience to orders which Bradford had received from Washington, were to remove the white settlers from "the territory occupied by the Osages, the Kiamichi river being now chosen as the line of demarcation."

Nuttall says there were supposed to be twenty families of whites living at the mouth of the Kiamichi and twelve "at Pecan Point, a few miles down Red River." Many of them were a "very bad lot of settlers," having "the worst moral character imaginable, being many of them renegades from justice." See Thomas Nuttall, *A Journal of travel into the Arkansas Territory during the year 1819, with occasional observations on the manners of the aborigines*, Philadelphia, 1821, ch. IX, particularly pp. 206-222. The edition cited here is in Reuben Gold Thwaites, *Early Western Travels*, Vol. XIII.

These white settlers had been removed then before Fonda came into the country.

River to Santa Fé is difficult to determine. Of course he did not reach the forks of the Canadian if he went to the source of the Red River and there turned north. The forks of the Canadian are almost north of Fort Towson, the point from which he started. He is probably referring to the forks made by the union of the Mustang Creek with the Canadian River in northwestern Texas.[4] It is equally certain that he did not strike the Santa Fé trail at the point where it crossed the Canadian River. He doubtless reached the Canadian River when he turned north from the Red at the mouth of Mustang Creek as already indicated or at the mouth of Major Long's Creek. Here he probably came upon "the much frequented Indian trail crossing the creek, from the west, and following down along the east bank,"[5] to which Long refers. This he probably thought was the Santa Fé trail. If he took the route thus indicated he went west along the Canadian finally reaching the San Miguel, whence he followed the Santa Fé trail to Santa Fé.

Soon after arriving in Santa Fé Fonda lost track of his traveling companions. He then went to Taos, where he spent the winter of 1823 and 1824. Here he found a village in which the "houses were all one story high, and built of clay or large gray brick." The inhabitants were Spaniards, Mexicans, "Indians, a mixed breed," and a few trappers. The town was a "lively wintering place, and many were the fandangoes, frolics, and fights which came off" during the winter.

By May, 1824, Fonda had become thoroughly disgusted with Taos and its inhabitants, "for the latter were a lazy, dirty, igno-

[4]The map used in this instance is that of Department of Interior, General Land Office: United States, including Territories and Insular Possessions, 1918. There are some maps which give the Big Blue Creek as the principal fork of the Canadian at this point. Cf. Department of Interior, United States Geological Survey, 1914, and the map in the Century Atlas.

[5]Edwin James (compiler), *Account of an Expedition from Pittsburg to the Rocky Mountains, performed in the years 1819 and 1820, by order of the Hon. J. C. Calhoun, Secretary of War, under the command of Major Stephen H. Long*, 2 Vols., Philadelphia, 1823. II, 94. Continuing, Long says this "trace consisted of more than twenty parallel paths, and bore sufficient marks of having been recently traveled, affording an explanation of the cause of the alarming scarcity of game we had for some time experienced. We supposed it to be the road leading from the Pawnee Piqua village, on Red River, to Santa Fe."

Long had passed through this country in August, 1820. His route from here east into the Arkansas territory, however, was north of that over which Fonda traveled in 1823.

rant set, and, as a whole, possessed less honor than the beggarly Winnebagoes about Prairie du Chien, at the present time" (1858).

Leaving Taos Fonda returned to Santa Fé where he found a company of traders who were preparing to cross the plains to Missouri. He soon became acquainted with a man by the name of Campbell, who was a merchant from St. Louis. The latter engaged the explorer "to oversee the loading and unloading of his three wagons, whenever it was necessary to cross a stream, which frequently happened."

The trip from Santa Fé to St. Louis proved to be "a hard journey," and one that Fonda "never cared to repeat." The "caravan of wagons, cattle, oxen, horses, mules left Santa Fé in good condition," but many of them died before the company reached the Missouri River—the animals from thirst and exhaustion, and the men from sickness and disease. The survivors reached St. Louis in October, "which place I saw for the first time, and Campbell having no further need of my services paid me in hard Mexican dollars, and I left him."

Fonda's estimate of the country through which they passed is interesting in view of the comments made by other explorers who had passed through parts of the same region at an earlier period. He thought "that the barren country, east of the Canadian River, would, at some day, prove valuable. It is rich in minerals. The ground in some places was covered with pieces of crustated substance, that tasted like saleratus. There were several springs of a volcanic nature."[6]

The data which Fonda gives for his journey from Santa Fé to Missouri are doubtless correct. There was an expedition which reached the Missouri River in the fall of 1823 at about the time Fonda says he arrived there, but the description which he gives does not fit this particular company. He refers to a "caravan of wagons, cattle, oxen, horses, and mules." Wagons were probably

[6]For Long's wholesale condemnation of the country east of the Rocky Mountains, west of Missouri, and south of the forty-ninth parallel, see Long's "Account of an expedition from Pittsburg to the Rocky Mountains," in Thwaites, *Early Western Travels*, 1748-1846, XVII, 147, 148. For an estimate somewhat similar to Fonda's made by a man who explored in the Southwest between the period of Long's and Fonda's explorations, see *The Journal of Jacob Fowler, narrating an adventure from Arkansas through the Indian Territory, Oklahoma, Kansas, Colorado and New Mexico to the sources of the Rio Grande del Norte, 1821-22.* Coues ed., New York, 1898.

not used by the company of 1823.[7] In fact, wagons were not extensively used in the Santa Fé trade before 1824. The expedition which went out from Franklin, Missouri, in May of that year consisted of eighty-one men, one hundred and fifty-six horses and mules, twenty-three wagons, and carried about $30,000 worth of merchandise.[8] Among the members of the party were M. M. Marmaduke, who later became governor of Missouri, and Augustus Storrs, who went to Santa Fé as United States consul in 1825, both of whom have left accounts of the expedition which are cited below. The members of this same company with whom Fonda returned arrived in Franklin, Missouri, on September twenty-ninth, after an absence of four months and ten days.[9] This would make it possible for him to have reached St. Louis in the early part of October, the month during which he claims to have arrived in that city.

[7]Hiram Martin Chittenden, *The American Fur Trade of the Far West*, 3 Vols., New York, 1902, II, 505.

[8]*Answers of Augustus Storrs of Missouri to certain queries upon the origin, present state, and future prospect, of trade and intercourse between Missouri and the internal provinces of Mexico, propounded by the Hon. Mr. Benton*, Washington, 1825. In U. S. Docs., 18th Cong., 2nd Sess., Doc. No. 7, p. 3. See also Chittenden, *The American Fur Trade of the Far West*, II, 505.

[9]*Ibid.*, 7, and M. M. Marmaduke, *Journal* on the Santa Fe trail, published in the "Missouri Historical Review" for October, 1911, pp. 1-10.

TEXAS IN 1820

TRANSLATED BY MATTIE AUSTIN HATCHER

I. REPORT ON THE BARBAROUS INDIANS OF THE PROVINCE OF TEXAS[1]

BY JUAN ANTONIO PADILLA

These Indians, who are scattered over the immense territory lying between the 27th and 45th degrees north latitude and from the shores of the Gulf of Mexico to the Province of New Mexico, are known by different names. In obedience to superior orders, I describe their customs, habits, and modes of life, giving a concise statement of each one of the best known tribes, to whom is given the title of nations; and, for greater clearness, I will divide them into friendly and hostile groups.

Friendly Nations

The friendly nations are the Cadó, or Cadodachos, Yuganís, Nacogdochitos, Aizes, Vidaizes, Alibamó, Conchaté, Cható, Chatá Orcoquisac, Nacazíl, Cocos, Sn. Pedro, Texas, Quichas, and Nadacos.

Cadó

In this tribe, there is a leader or chief called a *Gran Cadó,* whom nearly all the friendly nations recognize as a superior. This office is usually hereditary, and holds its titles or commissions *con medalla* ever since the time when Louisiana was a Spanish possession. Considering the fact that they are heathens, the moral customs of these natives are good, since they are not ambitious like the Comanches nor deceitful like the Lipanes. They live by farming and hunting. From the former industry they obtain large quantities of corn, beans, potatoes, and other vegetables which are sufficient for their families; and from the latter they obtain a large supply of furs from the bear, the deer, the beaver, the otter, and other animals. These they carry to Natchitoches and exchange for carbines, munitions, merchandise, tobacco, and firewater, of which they are very fond. Their houses are of

[1]From the Austin Papers, University of Texas.

straw, some are of wood, but all are well built. They enjoy social intercourse, dislike theft, and treat Spaniards well, entertaining them in their houses and aiding them in every possible manner. They are faithful in keeping their contracts; for the merchants of Natchitoches advance them munitions, trifles, and liquors at a good rate of exchange for furs. For all these they pay punctually, in spite of the fact that there are among them foreigners who come from Natchitoches and other points of the United States for the purpose of trading their wares to the said Indians for their products. Still, there are some swindlers and scoundrels who do not pay the debts they contract. Their language, like that of all barbarians, consists of a small number of words. They use signs and gestures with the spoken word. The dialect is difficult and almost identical with that of nearly all the friendly nations—they themselves alone know how to distinguish the different dialects. Their knowledge is reduced to a small number of ideas so that they can barely judge of the present; and, although they remember the past, they scarcely ever provide for the future for the purpose of bettering their situation and of becoming more civilized. But due to their continuous trade with foreigners, it seem that they should not be called absolutely barbarous or savages. They, of all the Indians, perhaps, are the most civilized. They have no recognized religion, and it may be said that they are idolaters on account of the superstitions they make use of individually and at their dances and festivities. They have an idea of God, and confess him to be the author of all creation. But their errors, resulting from these false ideas inherited from their ancestors, are many. Only the light of the gospel, spread by the holy zeal of the priests dedicated to this benevolent work can destroy them. They marry by contract with ridiculous ceremonies. When a man's wife dies, he marries again. They have a knowledge of many medicinal herbs which they use for wounds and other accidents with good results; although, in their method of cures, there is always present superstition and excesses. At their dances, they drink great quantities of firewater—some of them drinking until they tumble over. In these gatherings, there are never lacking some disorders resulting in personal injuries because of their drunkenness. They raise hogs, chickens, and dogs, and have horses and mules to make their

journeys and hunting trips. This tribe is composed of about two thousand persons of all classes and sexes. Because of the commerce they have with foreigners, many of them have learned the French language, and a few the Spanish, poorly pronounced. They pierce their noses and wear pendant silver ornaments of different kinds. They shave a part of their heads with razors, and paint their faces with vermillion and charcoal. They live in the neighborhood of the Spanish Lagoon, a very large, navigable lake connected with the Colorado river of Natchitoches, and extending almost to Vallupier, a settlement of Frenchmen, located on a small *arroyo* of this name, but which is subject to Spain. At the present time they are in the Neutral Ground.

Yuganís

The Yuganís, who live to the east of Nacogdoches, on the Neches river, at a distance of about thirty leagues, have the same customs and inclinations as the Cadó. They differ from them in being a little darker and in shaving their beards in streaks with lancets, using charcoal. It is a small tribe not exceeding 150 persons. They live by hunting and planting grains. They are poorer than the Cadó. They are very sociable Indians and very docile and primitive.

Nacogdochitos

The Nacogdochitos are near neighbors of the Yuganís, living on the same river, Neches. They are very much like the latter except in the streaks they make on their faces. They are much more given to drunkenness than the Yuganís, and consequently much poorer; although they do not fail on this account to till the soil, to construct houses, and to hunt. They number about two hundred.

Aizes

The Aizes live toward the northeast upon the *arroyo* Atoyak and about twelve leagues from Nacogdoches. They are very much like the Cadó, differing from them only in language and in the manner of shaving their heads. They number about three hundred Indians. They pierce their noses and paint their faces with vermillion. They are fond of the Spaniards.

Vidaizes

The Vidaizes live on the Trinity, below the abandoned village of the same name, about fifteen leagues to the east a little to the south. They number about three hundred Indians. They go down to Natchitoches to exchange their furs. They cultivate the soil. They treat the Spaniards well when visiting in their *pueblos.* Their customs are like those of the Cadó.

Alibamó

The Alibamó live in three *pueblos* in the same direction on the said river at no great distance from the Vidaizes. They number about six hundred Indians. They are liberal and industrious and indulge in hunting, by which they gain their livelihood. They go down to Nacogdoches with their furs which they exchange like the other Indians. They use firewater, and paint their faces. They are kind, and their customs and inclinations are not barbarous; although they are superstitious like the other Indians.

Conchaté

The Conchaté live further down on the same river and toward the east. They number about five hundred Indians. Their customs and inclinations differ in no way from those of the other tribes referred to, although they are found to be more given to the use of firewater. Some of them are seen to be gayly adorned with the plumage of birds on their heads, dressed in flowered chintz shirts, their faces painted with vermillion, and with silver pendants hanging from their noses. They have considerable trade and are great hunters without neglecting to cultivate the soil. They trade in furs with the foreigners from whom they receive merchandise and other things they may need.

Cható y Chatá

The Cható and Chatá, who live on the Sabine river, not very far from the sea, look very much like the Conchaté so far as adornment goes. They are also given to drunkenness. Many of them know French. Their customs are like those of the Cadó. Their trade in furs, with the foreigners, is considerable. These people, who live very near neighbors to each other, number about

eight hundred persons. They till the soil and live in houses of wood.

Orcoquisac

The Orcoquisac are located at the mouth of the Trinity river. They number about three hundred Indians. They resemble the Yuganís; although they do not streak their faces. Their occupations are limited to hunting and farming. They go down to the seashore from whence they secure the fragments of ships and other things cast up by the sea. They know how to manage a canoe, and they are excellent swimmers. They carry their furs to Carcashú and Oppelousás to exchange with foreigners who live in those settlements, which are under the jurisdiction of the United States, and which are not far from the coast. Their customs are very good, although idolatrous. They performed many services for the troops who were stationed at Atascocito, also called Orcoquisac, until the year 1812, when the frontier was abandoned.

Nacazíl

The Nacazíl live on the Neches river near the lagoons where it empties into the sea. They number about two hundred. Their customs are simple. They are fond of hunting and of farming. They frequent the sea coast and visit Atascocito when troops are stationed there. They are skilled in the management of canoes, and they go in them to Oppelousás and Carcashú with their products. They drink all kinds of liquors, of which they are very fond.

Cocos

The Cocos, who number about four hundred, seldom leave the coast between Bahía de Matagorda and the mouth of the Brazos river where they live without any fixed habitation. They live on fish and wild game; and, because of the little traffic they have with foreigners, they are without necessities and ornaments. However, they trade with the neighboring tribes. Their customs are not very different from those of the other Indians. By nature, they are tractable. They look like the Yuganís.

Sn. Pedro

The Sn. Pedro Indians live on the Trinity river above the abandoned village of this name, to the northeast, about twenty

leagues. They plant crops and hunt. They have good inclinations and simple customs. They do not shave their faces, although they cut their hair in such a way as to make them different from the Texas Indians, their neighbors. They rarely go down to Natchitoches, but there is no lack of foreigners who carry merchandise to the *pueblos*. They are but little addicted to firewater. They are liberal and generous with what they have. They build their houses of straw because it is easier than wood. But their houses are large and usually neat. This tribe consists of about five hundred persons.

Texas

The Texas are near neighbors of the Sn. Pedro Indians, living on the said river and in the same direction. There is a great similarity between these two tribes and the difference can scarcely be distinguished, except by the way they cut their hair and by the name. They number about four hundred Indians. They are fond of hunting, but they till the soil. They are like their neighbors, the Sn. Pedro Indians, and rarely go down to Natchitoches.

Quichas

The Quichas live toward la Tortuga, which is in a northerly direction, about fifty leagues from Trinidad. They differ but little from the Texas and the Sn. Pedro Indians. They employ themselves in farming and in hunting wild animals. They are in the habit of going to Trinidad, but their usual trips are made to Natchitoches, although foreigners do not fail to come to their *pueblos* because it is on the road to the Comanches and Tehuacanos. They number about eight hundred Indians.

Nadacos

The Nadacos live on the Sabine river above the Cható and the Chatá Indians, and near the Cadó. They number about two hundred Indians. They are darker than the latter and some of them shave their faces in streaks. They plant considerable crops and are hunters. They have a close friendship with the Cadó, whom they ordinarily accompany on their hunting trips. They are primitive and humane. They are given to the use of firewater because of their extensive trade with foreigners.

All these tribes, who live in the wooded region which lies between the Trinity river and the frontier of the United State, preserve reciprocally an inviolable peace and a perfect harmony. They, however, are strongly built, well developed, brave, and vigorous. They resist fatigue and the extremes of that changeable climate at all seasons; for they are accustomed to it. They have the particular distinction of not having joined the faction of the traitor Bernardo Gutiérrez, when, at the head of the Anglo-Americans and accursed Spaniards, he invaded the Province of Texas, having previously sent Spanish and French emissaries among them; that is, with the exception of the Conchaté who, with one hundred Indians of this nation, aided the traitors to carry the war in Bahía del Espíritu Santo and later at the battle of Rosillo; but when Gutiérrez's army had taken the plaza of Bexar and had beheaded the Spanish leaders and other officials, the Conchaté retired to their *pueblos*.

The ordinary dress of these nations is deer skins which they themselves tan. They also wear shirts of chintz or flowered goods. Their wives dress in the same way. Some of them have married foreignesrs. They are not so dirty nor so ugly. They might even pass as handsome, if they should be given a good and careful education—particulary the Cadó.

Hostile Tribes

The hostile tribes are the Comanches, the Lipan, the Tancahues, the Tahuayases, the Tahuacanos, and the Aguajes. They are scattered over the plains which lie between the neighborhood of New Mexico and the Province of Texas. The first three are wandering tribes, and the others live in fixed settlements on the rivers of Brazos de Dios and Colorado de Natchitoches. In their customs, they are very different from the tribes on the frontier; although, like the Indians, they farm and hunt.

Comanches

The Comanches, who are the most numerous and who cover the greater part of that vast region toward the north, are treacherous, revengeful, sly, untrustworthy, ferocious, and cruel, when victorious; and cowardly and low, when conquered. They are inclined towards rapine and murder of their fellow-beings, spar-

ing the lives of the young and of the women in order that they may teach their wicked customs to the former and satisfy their lust with the latter. Like cowards, they mutilate the bodies of the dead and, sometimes, they eat their prisoners after torturing them to death. They are inconstant in their friendships and break their contracts for any cause. They are perfidious and disloyal. They love their liberty so much that they will not bear servitude; and to have peace with them it is necessary to subdue them by arms. It is certain that they are not reducible to the Catholic religion. Their ordinary food is the buffalo and other animals of the chase. They also eat horses and mules [even] when not forced to. They never plant any crops. Their sole occupation is hunting and war. The rest of the time they spend in idlenesss and crime. They live a wandering life and when they remain in one place it is only for ten or twelve days while their animals are grazing the land bare and they themselves are driving away all the game. Although there are chiefs among them, that is, one in each *pueblo,* who understands war, they respect and obey him when they wish, without noting him particularly. And if they follow him to war, it is because of the love they have for murder and theft. They preserve no order or formality in leaving him or in following him. And, although they also have certain battles in their *pueblos,* it is for the purpose of inciting them to war since that is the desire which dominates them. They have many wives, as many as each Indian can support. Some of them have as many as eight. They are not clean. They wear only a breechclout. For the rest, they go almost naked. Only in the winter do they cover themselves with buffalo skins, which they have tanned themselves. They have great skill in arranging their hair with paints and oils, adding to the mixture some artificial braids of horse hair tied with strands of cloth which almost reach to the ground. The greatest insult you can offer a Comanche is to pull his braids. They know no religion except idolatry with all the superstitions which the devil has suggested to them through their witches or magicians, who are not lacking among them. Their riches consist in the possession of good horses and arms, which they will not sell, even though they be paid an exorbitant price. They do not lack silver ornaments such as jeweled swords, and ornaments from bridles, which they steal in their expeditions and campaigns.

They have never made so many of these as in the last year, due entirely to the encouragement given them by the foreigners and certain perverse Spaniards because of their covetousness, to the detriment of the provinces, as is to be explained.

Up to the year 1811, the Comanches were not so well armed, nor so war-like, nor had they penetrated into places where they are now seen. The revolution which broke out in the center of the kingdom, at that time, came to the ears of those Indians; and, since they are of a war-like nature, changeable, and treacherous, it was easy to seduce them from their allegiance to the legitimate authorities. They took advantage of the occasion when they saw the troops with other duties, and hastened to make war against the unarmed herdsmen and the peaceable settler, robbing, killing, and seizing prisoners. In these raids, they collected a great number of animals both horses and mules, leaving horror and devastation in this industry in the Province of Texas and on the frontiers of the other Provinces. At the same time that the Indians laid waste the *haciendas* and ranches, the foreigners and various rebel Spaniards, who escaped from the victorious army of our sovereign at Medina, introduced munitions and other things to exchange for animals, making a well worn road through the unsettled region towards Natchitoches. There were not lacking some Spaniards, still worse, who led them and incited them to kill and burn whatever came in their way. With such guides, they penetrated to the Villa del Norte de la Colonia where these Indians never had set foot before. There is no doubt that they laid waste the country and terrorized the inhabitants; but they were not always free from punishment by the troops, who have defended their frontier, and who gave them battle, recovering the horses they had stolen and killing many of their warriors.

This nation is divided into the Yambaricas and the Yucanticas The former live to the north and west from the plains at the headwaters of the rivers to the region near New Mexico. I do not know the number of people they have. They rarely go to the coast. The Yucanticas live from the country of the Yambaricas to the region near Texas. They have ten or twelve *pueblos* governed by the person most noted for bravery, intrepidity, and ferocity. Their number, counting both the western and northern branches, may be estimated at six hundred persons. They make

war against all the neighboring nations, and to free themselves from the Huasás (who live farther to the north and whom we do not know), who are said to be exceedingly swift in a race, they use the device of cutting off their horses tails. At the present time, they are at peace with the Lipanes, who have always been their bitter enemies.

Lipanes

The Lipanes unite all the vices of the Comanches with those peculiar to themselves—the quality of being very astute and daring in their hostile expeditions they have acquired from the long communication they have had with the Spaniards during times of peace. Therefore, to their natural barbarity, they add a considerable knowledge of the art of war. It has not been possible to induce them to live in fixed habitations. They love liberty and are greatly interested in their ideas of idolatry and heathen rites. They ordinarily live on game and wild fruits. They also eat horse meat when forced to do so. And, although they like Spanish cooking, they are not inclined to cultivate the soil. In times of peace, they live on the frontiers of Coahuila, Neuvo Reyno [de León] and Colonia [de Nueva Santander], pitching their camps as far as the Province of Texas. Many of them have learned to speak Castillian; although with a poor pronunciation, but they understand it very well. Their commerce is limited to tanned deer and buffalo skins which they paint with great skill. They also sell horses and mules which they take in their rounds-ups. They have many wives like the Comanches. They are given to lust and bestiality. This nation amounts to something like seven hundred of all ages and sexes. Many of them have learned to play cards, which they do with great skill.

Tancahues

The Tancahues live a wandering life on the margins of the Guadalupe, San Marcos, Colorado, and Brazos. In customs, inclinations, and modes of living, they are very similar to the Comanches and the Lipanes, of whom they are sometimes enemies. They are not so warlike as those Indians, but they are not entirely lacking in valor and disposition tc carry on offensive warfare and to defend themselves. However, on the other hand, they are lazier and greater knaves—from this arises their want and

misery. They are but little inclined to the chase. They live mostly on wild fruits and fish. Their commerce is exceedingly meager because of their laziness and their scant traffic with foreigners. They are not so ferocious as the Comanches. They do not exceed five hundred in numbers. They are idolatrous and superstitious, and have many wives. They paint their faces and arms so as to form different figures, cutting themselves with lancets, and using charcoal. At present they are peaceable because of the war they are engaged in with the other nations.

Tahuacanos

The Tahuacanos live on the banks of the Brazos, on fixed settlements, towards the northeast, about ninety leagues from Bexar. They resemble other barbarians in their moral customs, but they differ widely from them in other things. They cultivate the soil from which they gather an abundance of fruits upon which they live, together with the products of the chase to which they are also inclined. When they are at peace with the Spaniards, they receive them and treat them kindly. They are superstitious and lovers of idolatry. They have many wives. They make war against the Comanches over buffalo hunting, and against the Tancahues for stealing their crops. Their huts are of straw, but of good size and clean and well shaped. They number about eight hundred persons. They live in three *pueblos*. They trade with foreigners from whom they receive arms, ammunition, tobacco, and other merchandise. This is why they are at war with the Spaniards. Their granaries are under ground. In them, they preserve their seeds for two years. They paint their arms and faces like the Tancahues, although they use different figures.

Tahuayases

The Tahuayases live on the river Colorado de Natchitoches, above this settlement. They do not differ very greatly from the Tahuacanos, whose customs and traits they share. Like the Tahuacanos, they cultivate the soil, and are fond of hunting by which they live. They make war against the Comanches and against other barbarous nations of the north. Their houses are like those of the Tahuacanos. Some are of wood. They are accustomed to go down to Bexar. Besides, they trade with other nations. Some of these Indians are white, due to their mixture

with foreigners, who are accustomed to visit their *pueblos* by way of the Colorado de Natchitoches in order to trade in furs. They number a little over one thousand.

Aguajes

The Aguajes live to the north of the Tahuayases. They are much like the Comanches in customs and habits. They trade their furs to foreigners and never visit Bexar because of the distance, and their occupation of war with the other hostile nations of the north. Their number reaches to a little more than eight hundred persons of all ages and sexes.

[Description of the Province of Texas]

The Province of Texas, whose inhabitants are the barbarians and wild beasts, with the exception of the people of Sn. Antonio de Bexar and the Presidio of Bahía del Espíritu Santo, the only settlements of Spaniards and they are but small, is a spacious and extensive territory. It has many rivers to water it. The principal ones are the Guadalupe, Colorado, Brazos de Dios, Trinidad, and Neches with the Sabine. Their are famous for their volume of water and length, along the course of which they receive a great number of rivers, *arroyos,* and springs. All these rivers empty into the Gulf of Mexico at different points; and, although there are no ports, so-called, navigation and use, aided by industry, would make them so in fact.

The land is extremely fertile, covered with all kinds of trees, especially from the Colorado river to the coast and the frontier of Natchitoches. There are immense forests of oaks, pines, cedars, and cypress of great size along the plains, for the mountain regions are unknown. It produces, in great abundance, all kinds of cultivated and wild plants, roses, and aromatic and medicinal plants, like the cisperina and others. In the woods of Nacogdoches, there is a tree from whose sap is secured sugar as good as that from the cane. On the banks of the Sabine there are chestnuts, pinenuts, and other fruits. Medlar-trees are common and nuts are abundant. Near Bexar, they gather apricots of as good flavor as those under cultivation. In all the rivers, *arroyos,* and springs there are abundant quantities of fish and other products of different kinds. Fine pearls are found in some of them, and in all of

them there are the greatest commodities and advantages for the establishment of *haciendas,* and *pueblos* of great importance. Toward the north, on the Colorado river there are *minerals* known to the Indians but not worked. Cattle, horses, mules, irrigable and non-irrigable lands are afforded to the admiration of all who have seen them, but all under the domination of the barbarians. To the north of Bexar, and for a considerable distance, the climate is very healthful because of the altitude of the country and the purity of the air. Toward the coast and frontier of Natchitoches it is subject to chills because the country is so low, so covered with vegetation—some of its being marshy—rainy at all times and especially during the rainy seasons.

On the San Antonio river at Bexar there are four missions which the priests of *la propaganda fide* of the college at Zacatécas had held. They are Purisima Concepción, San José, San Juan Capistrano, and San Francisco de Espada.

That of Concepción, distant one league from Bexar, has a church of hewn stone carefully constructed with arches, although it is is a bad condition because of damage by time. It has deteriorated considerably because of the absence of the priests and natives. The buildings of the convent and the other offices are in the worst condition. Of other buildings, there remain only heaps of rubbish. This mission has a large irrigating ditch, although not in use now. With it they irrigated a considerable piece of land from which they gathered crops of all kinds. For three years some citizens of Bexar have been planting these *labores,* but without irrigation since their poverty will not permit the expense of rebuilding the dam and cleaning the ditch. But, because that land is so rich, they have not lost their labor.

The mission of San José is one league from Concepción. It has a chapel which is well built of hewn stone although it is damaged by time through lack of repair. It owns rich ornaments, sacred vases, and much silver set with jewels and ornaments. All these show its former splendor and riches. The convent has a portion which is threatened with ruin. As for the rest, some have fallen down and others are poorly repaired by certain *vecinos agregados.* There are also some casts among the descendants of the Indians who formerly inhabited it. It has a large irrigating ditch and a considerable quantity of farming land which is cultivated with great success by these citizens. In this mission there

is no lack of priests, for it has usually been the residence of the president of all the missions.

The mission of San Juan is a league from that of San José. Many *vecinos agregados* have lived in it for many years. The church is unfinished, although it has a chapel in which mass is said. Its buildings are almost demolished, and the best of them are in poor repair. It has an irrigating ditch and farm lands of which the settlers avail themselves.

At an equal distance is the mission of Sn. Francisco de la Espada, settled by a small number of persons, as in the former cases. Its buildings are in a similar state. Although it is eleven years since the death of Fr. Pedro Noreño, the last priest it had, the water for irrigation is still abundant and the farm land conciderable in quantity and rich in quality.

These four missions are in a state of decandence for lack of repair of the buildings. Each of them, at small cost, would support a settlement of Spaniards if the lands, water, and ruined buildings were divided among those who would voluntarily present themselves as the first settlers. None of them have any Indian settlers, the principal object of their establishment. If there are any, they are but few in number and changed into casts by mixture with the settlers of Bexar. Those who are there have lived in the character of *arrimados* so that his Majesty has had to pay the stipend of the priests without securing the execution of his royal will which is the conversion of the Indians.

From the settlement of these missions, there would follow the advantage of increasing the population of that deserted province. The troops would have better means for securing the supply of things they use, and the settlers would secure advancement. They would aid each other mutually in their work for the preservation of the missions and in the defense against the barbarians.

Juan Antonio Padilla.

Villa de Mier, December 27, 1819.

II. INSTRUCTIONS WHICH THE CONSTITUTIONAL AYUNTAMIENTO OF THE CITY OF SAN FERNANDO DE BEXAR DRAWS UP IN ORDER THAT ITS PROVINCIAL DEPUTY MAY BE ABLE TO MAKE SUCH REPRESENTATIONS, TAKE SUCH STEPS, AND PRESENT SUCH PETITIONS AS MAY BE CONDUCIVE TO THE HAPPINESS, DEVELOPMENT, AND PROSPERITY OF ITS INHABITANTS[2]

The length of this province, from north to south, is about 300 leagues of known country from [the mouth of the] Nueces River to the ——— in the Province of New Mexico. From east to west, it is about 200 leagues from the Medina to the known limits of the Province of Nueva Viscaya at its union with the United States. In this region are seen the finest and most copious springs, rivers, lakes, and lagoons, which water it and furnish life to a great number of wild but very useful products—to numerous herds of animals, cattle, buffalo, and other kinds of wild creatures, which furnish the greatest aid to subsistence, to a large number of wild horses, to countless animals of the chase, and to fish, woods, and other valuable products which promise the benefits of the best mineral ores ever seen. There are 3000 persons in the province.

The settlements which the province contains in this spacious and extensive region are only the city of San Fernando de Bexar, its capital—to which are added the presidial company of Bexar, the flying squadron of San Carlos de Parras, and the four missions—almost abandoned, since in three of them are no more than fifteen Spanish families, and none in the other; the *presidio* of Bahía del Espíritu Santo near which also there are two Indian missions, almost abandoned, since the Indians live in them only during the seasons which suit them—these are all located upon the San Antonio river within the short distance of fifty or sixty leagues to the southeast; and, finally, the advanced and deserted *pueblo* of Nacogdoches on the frontier of the United States toward the east. This is distant from the other settlements 180 leagues. The remainder of this extensive, immense, and spacious region composing the entire province is occupied by the different tribes of barbarous Indians, who, at all times, have been masters of the possessions and lives of the unfortunate inhabitants—but never with such tenacity and frequency as since the year 1813, at which

[2]From the Bexar Archives, University of Texas.

time, after they had made away with the cattle, horses, and other property of the inhabitants within the space of a few days, killing and capturing a considerable number of persons of all ages, conditions, and sexes, they continued menacing the interior of Coahuila, the colony of Nueva Santander, and a portion of the kingdom of Nuevo Reyno de León, in such a manner that the first of these and the four northern *villas* of the second suffered the same fate as Texas in regard to their property, although, without doubt, they have had a greater number murdered and captured among their citizens. And what nations are those who have occasioned such unheard of evils? They are no other than the Comanches and Lipanes. And we do not know the reason for such neglect and tolerance by the government in not suppressing them; because, if it is true that the Province of Texas needs for its security and that of the other Interior Provinces the total force of four or five thousand troops to guard the frontier of the United States, the coasts of the Bay of San Bernardo, and to repress the hostile nations which continue still to threaten it and who will frequent it again in the future for the same purpose, it seems an urgent necessity that it be given the following aid at once:

1st. By means of a respectable and well-organized campaign, the two nations, the Comanches and the Lipanes, who have occasioned so many evils in the province during these last years, should be followed until they are exterminated or forced to an inviolable and lasting peace, managing, if possible, to intrust the expedition to officials hardened to an active life, familiar with the country, and experienced in the methods of making war against this kind of an enemy. There is no doubt that this would serve as an example to restrain the other nations who, in imitation of these or in union with them, have contributed to the destruction of the province.

2d. The campaign concluded with the happy ending that we promise ourselves and have a right to expect if the troops assigned to it set out mounted, equipped, and supplied with every necessity, it is fitting that there be established a line of *presidios* to guard this frontier, extending from the old *presidio* of San Saba to that of Nacogdoches, establishing them with the necessary force —one at the above mentioned point, San Saba, another at San

Xavier, another on the Brazos, another on the Tortuga, another on the Trinity, and the last at Nacogdoches on the frontier of the United States. It would be well for the Province of Coahuila to settle or protect—by means of one or two presidios—the unsettled or unprotected country from San Saba to the *villa* of San Fernando de Agua Verde, as much for its own safety as for that of the two remaining provinces, the Colony [of Nueva Santander] and Nuevo León.

3d. This line established, it is proper that the coasts of the Bay of San Bernardo be protected by one or two *presidios* which could be, and should be, established at Atascocito and half way between the Brazos and the Colorado rivers.

4th. For all these establishments, there are judged to be very indispensable and very necessary two thousand soldiers, with full pay and other necessary supplies, in order to attract to the settlement all kinds of people useful in these lands.

5th. To all these new establishments, as advantageous as well as fitted for the peace and safety of this and the three neighboring settlements [the settlers] should give assistance, in order that they may be effective, since they would be interested parties in the benefits which must accrue to them, contributing aid according to their means, so that in the future the evils which they are now suffering may not be experienced. [To all these new establishments], it is very advisable that there be sent out as garrisons the three flying sqaudrons of the Colony [of Nueva Santander], [the flying squadron] of Laredo, and that from Punta Lampasas, the presidial companies of Monclova, and Rio Grande, the veteran companies of Bexar and Bahía del Espíritu Santo, and the flying squadron of San Carlos de Parras—composing the total number of —— troops and the remainder to the number of 2000 should be selected from the militia of the Colony [of Nueva Santander] and Nueva Reyno de León.

6th. [We recommend] that the Port of Matagorda be aided, protected, and developed with everything necessary, in accordance with the royal orders promulgated by means of proclamations within and without the kingdom in the year 1805—the original of which should be in the archives of the captaincy general which was located at Chihuahua, from whence it may be secured. The copy of the royal order which was published here was lost during

the upheaval which the archives of this capital suffered during the revolution.

7th. That the Province of New Mexico, El Paso del Norte, and other palces in Neuva Viscaya be placed in communication with this province, aiding these places with some settlements or *presidios* which may be established in the short distance of 150 leagues existing between its capital, Santa Fé, and this [capital]. By this means, its inhabitants, in addition to the benefits and advantages which would result to all the kingdom, can have the privilege of importing the goods they need and of exporting the grain and other products from their territory through the said port of Matagorda in the Bay of San Bernardo, as was requested in 1812 by their deputy to the córtes, Don Pedro Baptista Pino.

8th. That all the supplies of grain, stock, and other things furnished from the year 1813 to the past year of 1819 by the citizens of this place be paid for as soon as possible in order that, in this way, they may be repaid in part for their losses and arrears from which they have suffered and so that with it they may improve their fields and the industries they may seek to promote.

9th. That restitution be made of the houses, fields, and other property which still remain unsold from those confiscated from the citizens of this place who, in the above mentioned year of 1813, fled to the United States, doing the same with the estates sold or ceded when claims are made to them by their original and legitimate owners according to the constitution which was in force at that time. Difficulties must arise in this restitution. These will be solved by returning to the purchasers what they gave [for the property], leaving to them the inalienable right to put in a claim for the improvements which they have made.

10th. That there be distributed *sitios de tierras valdios* and *labores* for the inhabitants of the entire province upon the rivers, San Antonio, Medina, Guadalupe, San Marcos, Colorado, San Saba, and others suitable for the proposed purpose, distributing, also, the *labores* which belong to the four abandoned missions near this capital, except those of the mission of Concepcón, which should be reserved for *proprios y advitrios* for the city which lacks funds for its needs; for, since its foundation it has had no other available funds save seventy *pesos* annually yielded by the fifth of a *labor* called *proprios* which scarcely meet the expenses of the festivity of the Holy Patron and compensate a secretary. Al-

though, before the revolution, we counted upon the funds from the mesteñas—which amounted to from fifteen to eighteen thousand *pesos* and upon the fund from the *publico* which amounted to two or three thousand *pesos*—they were never set aside for public use but, in the end, the governor took possession of them for the use of the troops of this garrison, for whom they were expended. They can be reclaimed from the amount due the troops in the treasury until April 1, 1813, when were mustered out the flying squadron of Bexar and of Alamo de Parras, the militia companies of Texas, and the auxiliaries of the Colony [of Nueva Santander] and of Neuva Reyno de León, to whom the funds were paid, as the paymaster of the company of Bexar, at that time, Alferez Don Manuel Delgado, who is in that city, can inform you. The necessary evidence cannot be sent from here, because, during the revolution, the accounts, books, and other documents which were in the chest of said fund of *mesteñas y publico* were lost.

11th. That for the purpose of raising new funds or for increasing those collected, there should be placed at the disposal of this *ayuntamiento,* with exact notices and reports, the proceeds from the cattle, horses, and mules of unknown owners collected since the year 1814 or 1815 up to the present time. This account must be in possession of the governor of the Province of Texas or that of the paymaster of Bexar. The cattle, horses, and mules of this character should remain at the disposal of this body, of the *sindico procurador,* or of the treasurer who may be selected, in order that, having been sold to the highest bidder within the time that may be considered proper, the resulting proceeds shall be applied to the *fondo de proprios* of this city which, until now, amounts to nothing. Consequently the *ayuntamiento* lacks funds for its necessary activities. The citizens should be permitted to round-up wild horses. This by order of the Commandant-General, Don Joaquin de Arredondo, they are prohibited from doing, because it is alleged that they wish to make this their sole occupation. The old established custom should be enforced of paying two *reales* per head, and of rounding them up only in the months from November to February or March. This rule should apply to the soldiers as well as to the civilians.

12th. That the system in practice since the above mentioned

year of 1813 to the present time of maintaining in the province a strong garrison of troops useless for performing the active services of their calling which the circumstances of the day demand, has been only a certain means of consummating the ruin of its inhabitants; for the soldier, finding himself unmounted, unclothed, and without supplies—what service can be perform and how can he exist with only two *almudes* of corn which he receives every fortnight, unless, in order to maintain himself, he lays hands upon some one's cow which he kills in the fields, now upon things which he steals from the corn fields, or now, by other excesses, such as necessity forces him to commit, as is frequently seen practiced upon the public who suffer these damages. This will be remedied by furnishing the soldier with sufficient and suitable rations or by arranging for him to retire to his own province in spite of the urgent need there is for them in this province and of the good which might result from their service, were they in the condition required for performing them instead of being forced to maintain themselves or live at the expense of the citizens.

13th. The Province of Texas is more than 500 leagues distant from the porrt of Vera Cruz—the first and foremost port of this America—something more than 300 leagues from the port of Altamira, eighty from the most advanced settlements of Coahuila and the Colony [of Nueva Santander] and 150 or 200 leagues from the *villa* of Saltillo and the city of Monterey; and there is in circulation in it no other money than the small salary which the troops receive some months. As a result of this, the goods and supplies which its inhabitants receive from such remote distances are held at excessively increased and exorbitant prices and with the stern necessity of paying for them in cash if some merchant does not graciously supply them in exchange for grain at a price which best suits him; for, if he pays 20 *reales per fanega* he, thereupon, resells it at from four to six *pesos* to the same person from whom he bought it if he cannot turn it over all at once in payment of the troops at the same or at greater profits. This is as injurious to the soldier as to the civilian; because, if they had money or if [the authorities] would observe some rule in supplying grain to the troops, they would be assured of their support with greater ease, and the laborers would be benefited and would devote themselves to their work with greater pleasure.

14th. Since the inhabitants of the province have within their midst a port so excellent as is the port of Matagorda, where at first and second hand the goods needed could be received with great ease and that too, perhaps, in exchange for the products of their own soil without the necessity of expending any money whatever, we can find no reason or justice to convince us that we should be deprived of a benefit which nature has so liberally bestowed upon us. For this reason, we repeat the request for the opening of the said port in order to destroy, at its roots, the odious contraband trade across the frontier of which some of the citizens of this place are accused. We have not yet seen progress made in this manner. Yet, if some practice it, it is not from ambition to accumulate riches, but because of the miseries they suffer and the ease with which they can relieve their sufferings by the sale of any kind of horses for which there is at least fifty per cent profit in current money or in very useful goods. In this way, they supply their necessities. And, if this is the only relief these inhabitants receive, there is no reason for depriving them of it by seizing upon the contraband goods they accumulate.

15th. The missions of this province contain only the small number of 278 inhabitants. These are governed by a local *alcalde,* appointed and approved by the government and subject in all matters to its authority and ministered by a priest from the College of Nuestra Señora de Guadalupe, with the rank of president who, since he has no assistance from his stipend for the purpose of providing for subsistence, is compelled to abandon the missions at certain times to obtain alms. The two priests who serve the missions of la Bahía del Espíritu Santo do the same thing. If they were paid the proper salaries, without doubt, they would dedicate themselves to their ministry.

16th. The branded horses which are captured from the Indians or from other enemies either by means of a campaign, a skirmish, or other military operation, should also very properly be turned over to the *síndico procurador* or treasurer who may be named, in order that he may hand them over to their owners or sell those without known owners for the benefit of the fund of *advitrios* which should be created in this city.

17th. If all and each one of the articles contained in these instructions be placed in execution and certain practice, we shall already have begun the prosperity of this province, the happiness

of its citizens, and the security of the kingdom of New Spain. This we can see accomplished in no other way than be seizing the happy moment which offers us national freedom; or we will be submerged in the confused, abominable, and horrible chaos of forgetfulness and abandonment.

November 15, 1820.

To the Governor to be sent to the Deputy for the Province, Don Ambrosia Aldasoro.

MINUTES OF THE AYUNTAMIENTO OF SAN FELIPE DE AUSTIN, 1828-1832

VII

EDITED BY EUGENE C. BARKER

In the town of San Felipe de Austin on the 2d day of Novr 1830 the Ayuntamiento met this day pursuant to adjournment present Thos. Barnett prest. Jesse H. Carwright 2 Regidor Walter C. White, 3d Regidor, and William Pettus sindico procurador. The prest stated to the body that a letter addressed to George Fisher apparently cont[aining] divers enclosures had been handed to the Ayto. supposed to [p. 57] be from Asa Mitchell an intimate of said Fishers The Ayuntamto. then ordered a secret session and after having discussed the subject respecting what course would be proper to pursue relative to the letter the body agreed that inasmuch as the said Fisher is believed to be a spy attached to a party unfriendly to the Govt and as Mitchell is known to be an intimate of the said Fishers the body ordered the letter to be opened which was done, and the contents found to be several letters addressed by Fisher to Mitchell on the subject of vessels arriving in the brasos a commission from Sd Fisher to Mitchell making the sd. Mitchell a boarding officer and several official letters antidated from Mitchell to Fisher purporting to be reports. And as there was nothing found which in the opinion of the body was likely to be injurious to the community the letter was ordered to be sealed up with its enclosures and put away and the ayuntamto. rose from the secret session.

The Ayuntamto in open session made the following resolution that whereas this municipality from its peculiar situation is much exposed to the inroads of fugitives from justice from the U. S. and other places, vagabonds and men of notorious bad character and it being the duty of the Ayuntamto. to watch over the security and tranquility of the inhabitants of the municipality and also to maintain and support good order and the public tranquility, and prevent the residence of men of bad character, and of idle and vicious habits within the jurisdiction, and taking into consideration that by the 5th article of the Contract made by the Empresario Stephen F. Austin he is bound not to permit, criminals,

vagabonds or men of bad character to remain within the limits of his colony but to cause all such to leave it, and if necessary to drive them out by force of arms, it was resolved by the Ayuntamto. that the said Empresario be officially addressed by the Ayunto. and informed that the hereinafter described individuals are men of notorious bad character and ought not to be permitted to remain within the limits of [p. 58] the municipality but immediately removed and are Peter Whitstine, Trammel, Pryor, John or Jack House and Brooks Williams.

And further the ayunto. resolved that John Williams residing near the San Antonio Road is a man of bad character, and in the habit of harboring men notoriously infamous to the stigma and injury to the peaceable inhabitants of the Municipality, but inasmuch as he is settled and has some property and improvements about him, and much pecuniary injury might arrise by his immediate removal the Ayuntamto. recommended that a further trial be given the said Williams, but that he shall not be permitted to receive land until it shall be satisfactorily proven to the Ayunto. that an entire reformation of character and conduct has taken place in sd Williams, and further the Ayunto recommended that he be notified that whenever it comes to the knowledge of the Ayunto. that he has about him or harbors any man of bad character that he will be instantaneously removed beyond the limits of the jurisdiction.

The Ayunto. further resolved that whereas John Little has been guilty of harboring Hiram Friley who fled from this town being confined in an accusation of a capital crime—that he shall not be permitted to receive land as a settler until it shall be satisfactorily proven that he has reformed his conduct. And also that this Ayuntamto. conceive it their duty to recommend the said Empresario not to admit Washington Griffin, Henry P. Welsh and George Welsh as settlers as in the opinion of the ayuntamto. they are not worthy of being admitted.

The subject of the petition presented by H. H. League and Seth Ingram being introduced the Ayuntamto. considered that as the subject on which it treats is solely of a judicial nature the ayuntamto. recommended it to the particular attention of the Alcalde and that he adopt such measures relative to it as in his judgment justice and equity may require and [p. 59] there being nothing further before the body it adjourned to Monday the

15th inst. Mr Thomas Westall agreed with the ayuntamto. in order to secure building lots Nos 62 and 63 and out lot No. 1 to build a brick house to secure the three, or build a cabin on the building lots, and one on the out lot, or fence it in within one year from today, which agreement was accepted.

Thos. Barnett
Samuel M. Williams
Secy pro tem

In the town of San Felipe de Austin 15th November 1830 The Ayuntamto. met this day in extra session pursuant to adjournment on the 2d inst the following members being present Thomas Barnett prest Jesse H. Cartwright 2d regidor Walter C. White 3d Regidor Churchill Fulchear 4th Regidor and Wm. Pettus sindico procurador, the first regidor being absent. On motion of Wm. Pettus sindico prod. it was ordered that the amt due to Thos. F. McKinney by virtue of a draft drawn on the municipality by Samuel M. Williams Secy of the Ayto. and entered upon the book of acts of the 31 day of Decemr. 1829 (Book A) which dft. the said McKinney declares has been lost or mislaid, and the Prest. who is the treasurer of the body declares that no draft in favr. of Mr McKinney has been paid. The Ayunto. hereby recognize the said debt due to the sd McKinney amounting to One hundred and Sixty dollars and the said sum the said McKinney is authorized to receive from the Treasurer out of any unappropriated funds belonging [p. 60] to the municipality.

In continuation the before mentioned Thos. F. McKinney personally appeared before the body and presented a written order of transfer for the said amt. of 160$ in favor of William Barnett and in conformity therewith the amt. aforesaid of 160$ was transferred to the said Barnett and the president authorized to pay the same out of any funds belonging to the Municipality not otherwise appropriated.

On account of an invitation made by the Ayunto to the citizens of the Colony to nominate from the different precincts each one of the citizens to meet the Ayto in the session of today for the purpose of representing to the deputies in the State Legislature from this department, the wants and necessities of the municipality and also such laws and amendments as may be deemed proper for the better govt. of the municipality the fol-

lowing persons appeared and presented the certificates of their nomination. Nestor Clay, Randall Jones, William Robinson, Samuel R. Miller, Francis Holland, Doctor Wright, Rawson Alley, Martin Allen, and Luke Lessassier. The following subjects were discussed, and agreed upon as proper and necessary to be given as instructions from the municipality to the deputies from this department in the State Legislature at the next session of it.
first To procure the appointment of a Judge—trial by jury,
second—Donation of Land and part of the debt due by settlers to government for land to erect a seminary of learning and employment of teachers.
third—to get a translator appointed at the seat of govt. to translate Laws and decrees of the Govt.
[p. 61] fourth—To get a translator appointed to the court in the Colony
fifth—a removal of the restrictions against the sale of land—If not permit persons to give part to have the balance secured.

Thos. Barnett
Samuel M. Williams
Secy protem

In the town of San Felipe de Austin the 24th November 1830 At a meeting of the Ayuntamto, in extra session this day called by the prest. the following members were present Thos Barnett prest. Jesse H. Cartwright 2 Regidor Walter C. White 3d Regidor and William Pettus Sindico procdr. A letter was presented to the body by the sindico, from the Empresario Green DeWitt, informing the Ayuntamto of the evils which afflict the inhabitants of that part of the municipality on account of the frequent and repeated inroads of barbarous Indians, stealing horses and other animals, and also informing the Ayto. that those inhabitants are induced to believe from circumstances that men of bad character are connected with the indians in their robberies, and have for purpose the acquisition of a number of horses etc. to be carried to some other [p. 62] place for sale—And in asmuch as it has come to the knowledge of this Ayuntamto. that—Schriers has stated that the criminal Hiram Friley and other men of infamous character are connected in stealing horses which they deposit in some place in this Colony on the frontiers The Ayuntamto. unanimously agreed that a Commissioner should be ap-

pointed by the body to proceed with a competent number of militia men to John Lytles and examine the said Schrier for the purpose of finding out where Hiram Friley and others are rendezvouzed who are supposed to be stealing horses Mules etc. from various parts of the Municipality and if possible to apprehend all that may be found so engaged and to take possession of the property and also to proceed to the Colony of Green DeWitt and investigate the situation of its inhabitants, and report to this Ayunto. the result, as also what measures may be deemed necessary to secure them from the outrages of the Indians and Robbers. The Ayuntamto. then proceeded to nominate a person to discharge the duties required, and Mr. Francis W. Johnson possessing the entire confidence of the Ayto. was unanimously elected. The Ayuntamto then agreed that an official letter should be directed to the Colonel Commandant of the Militia to furnish a sufficient number of militia men to accompany Mr. Johnson, in the execution of this commission. It was also agreed upon that the Sindico procurador should proceed with Mr Johnson to the House of Lytle to assist in the examination of Schriers and that a letter of instructions should be given to Mr. Johnson.

Thos. Barnett
Samuel M. Williams
Secy protem

[p. 63.] In the Town of San Felipe de Austin on the 6th day of december 1830. In conformity with the municipal regulations the Ayunto. this day met in regular session present Thomas Barnett prest. Jesse H. Cartwright 2d regidor, Churchil Fulchear 3d regidor and William Pettus Sindico procurador, the proceedings of the last (extra) meeting were read and approved. The sindico procurador presented the petitions of George W. Cash, and Elias R. Wightman praying the appointment of Municipal Surveyor for the Southern portion of the Colony. the former petition was rejected, the latter was admitted and Elias R. Wightman declared to be duly elected and appointed Municipal Surveyor, for the district of Mina in this jurisdiction, and it was ordered by the Ayuntamto. that the said Wightman do give good and sufficient bond and security for the faithful performance of his duties as such surveyor.

A petition from Martin Allen praying for the donation of

town lots was read, and declared by the Ayuntamto. inadmissible as the body do not conceive themselves authorized to make donations of public property of the Municipality, and the petition was ordered to be returned to the said Allen.

The Ayuntamto. then entered into the discussion of the propriety of giving an extension of time, to that already allowed for the improvement of certain building lots and out lots which had been sold during the last and the present year, and it was agreed upon by the members that the additional time of six months be and is hereby allowed to the time previously stipulated for the improvement of building lots and out lots which were purchased by individuals from the ayuntamto. during the year 1829 and 1830.

An account of Thomas Davis for guarding and boarding two criminals and for blacksmiths work in ironing criminals, was presented to the Ayuntamto. by the [p. 64] president, and after mature examination and discussion of the merit of the claim, the Ayunto. ordered that, that part of the account of said Davis in which he charges the municipality with board and guarding Hiram Friley and for ironing him amtg the first item of 94$ and the second 8$ making 102$ be and is hereby totally rejected on the grounds that the said Davis during the time that he had the sd Friley under his charge was planning and devising means for his escape from justice, that Davis was knowing to the intention of Friley's making his escape, that he furthered it as far as was in his power, and that he made the show of delivery of Friley to the Alcalde for no other reason than to endeavor to secure the payment of what might be due for his services in guarding etc. knowing at the same time that as soon as Friley was put into the hands of another person he would break custody the other part of Davis's a/c amtg to 42.50 was admitted.

The Ayuntamto. ordered that inasmuch as the year is very near its close, that the Secretary prepared the necessary quarterly and semiannually returns which the Ayto. in conformity with the laws are bound to transmit to the Supreme govt. of the State, and also that the proper Statistical table be made out in order to be transmitted to the govt. and further the Ayunto. ordered that accounts of the funds under their administration be made out in order to be forwarded to govt. and for the necessary transfer to be made to the Ayto. of the approaching year

The Ayunto. [p. 65] adjourned until tomorrow morning 10 o'clock. 7th Decemr pursuant to the adjournment of yesterday the ayuntamto. met. present the same members as noted in the meeting of yesterday.

Several petitions were then presented to the body by the sindico procurador and were severally read, and the subjects discussed in the following order.

A petition from Ira Ingram praying that the title for out lot No. 36 purchased by him: be made to C. H. Vandeveer, admitted and ordered to be filed.

A petition from R. M. Williamston praying that the title to lots Nos. 144, 143 be made to Saml Townsend admitted and ordered to be filed.

A petition from Robert Peebles praying that the title may issue to him for out lots Nos. 43, 44, 46. purchased by him admitted and prayer granted.

A petition from James Hope praying that the title may issue to him for out lots Nos. 41, 42. prayer granted.

A petition from Eliza Gazley praying that the title for lots Nos. 4, 5, 6, 138 and 149 be made to her husband T. J. Gazley—admitted and prayer granted title to be issued if improved.

A petition from T. J. Gazley praying that the title for lots numbers 4. 5. 6 138. 139 be made to Phinneas Jones & Co. prayer admitted and the title ordered to be issued as soon as the lots are properly improved.

A petition from Wm. H. Jack praying that the title may issue to him for lot No. 38 prayer granted.

A petition from W. H. Jack praying that the title for lot No. [blank] may issue.

[p. 66] A petition from John F. Pettus praying that a title may issue to him for out lots numbers [blank] admitted, prayer granted, and the title ordered to be made and issued.

The Ayuntamto. then ordered that all lots purchased by individuals whose payment was due on the 15th Novembr. last and 3d of the present month, and which payments are not made, shall on the 31st day of this month be put up and sold to the highest bidder for on account of the former purchasers, holding the sd purchasers responsible to the Ayuntamto. for all amounts under the original amounts of purchase money for which said lots may be sold on that day further ordered by the Ayunto. that the prest.

be and is hereby authorized to issue to citizen Franklin Lewis in the name of the body such certificate as in the opinion of the prest may be necessary to secure to him his rights and privileges in the effects of his deceased brother Robert Lewis who died in Cerralvo in october last, which certificate must be countersigned by the Secretary of the Ayuntamto. further ordered by the Ayuntamto. that Samuel M. Williams be and is hereby invested with the office of Secretary of the Ayuntamto with the salary of Eight hundred dollars per annum, and that the said Williams be allowed for the services which he has rendered as Secretary pro tem. from the time he commenced up to the present at the same rate, to wit at the rate of 800$ per year which salary and services are to be paid him out of the funds of the Municipality.

On motion of the sindico procurador, it was resolved that inasmuch as there [p. 67] is some subjects to be discussed by the Ayuntamto. that require a secret session, that the ayunto. close the public session and hold a secret session to remain during the precise time necessary for the deliberation of those subjects. the hall was then cleared and the doors closed, when the following resolution was unanimously adopted.

Whereas as it has been made to appear to this Ayuntamto. by satisfactory evidence that Noah Smithwick confessed and made affidavit that he had assisted Hiram Friley, while lying under a charge of murder and pending his trial, to escape from the authorities of the jurisdiction of Austin, and whereas it has also been made to appear that the said Noah Smithwick has threatened the officers of the jurisdiction, declaring that he would have satisfaction of them, and besides that for some months past the said Noah Smithwick has been a bad citizen, constantly showing a contempt for the municipal regulations of the jurisdiction, and a disposition to infringe them with impunity NOW therefore this ayuntamto. order that the said Noah Smithwick be removed from the jurisdiction of Austin, and also recommend that he be removed beyond the limits of the State of Coahuila and Texas. and the Colonel Commandant of the Militia of this jurisdiction is requested to furnish a guard sufficient to carry the above order into execution, and see that the same is executed;[38] and further it having come to the knowledge of this ayuntamto. that Trammel Pryor

[38]Smithwick gives an account of this incident in his *Evolution of a State,* 84-88 (Austin, 1900).

has lately come into this jurisdiction, and that the ayunto. from the facts laid before them are satisfied that the said Trammel Pryor is notoriously a man of bad character, do order that the said Trammel Pryor be removed beyond the jurisdiction of Austin, and recommend that he be removed beyond the [p. 68] limits of the state, and the said Ayuntamiento request the Colonel Commandant of this jurisdiction to furnish a sufficient guard to carry this order into execution and see that the same be executed. And further the Ayuntamto. from the facts laid before the body are satisfied that John Litle is a man of notorious bad character, and order that he be removed beyond the limits of the jurisdiction and recommend that he be removed beyond the limits of the State. And further the ayuntamto. ordered that a certified copy of this resolution be transmitted to the Colonel Commandant of the militia with an official letter requesting him to carry the same into execution with the least possible delay.

NEWS ITEMS

Frank Cushman Pierce, author of *A Brief History of the Lower Rio Grande Valley,* died a victim of influenza at his home in Brownsville, November 10, 1918. Mr. Pierce was born at Fort Davis, December 15, 1858.

Amelia Edith Barr, author of *Remember the Alamo,* died at her home in New York City, March 10, 1919.

Ebenezer Lafayette Dohoney, member of the Senate of the Thirteenth Legislature and of the Constitutional Convention of 1875, died at his home in Paris, March 29, 1919. Mr. Dohoney published an autobiography in 1907, under the title *An Average American.*

Robert Cook Buckner, evangelist, author and founder of Buckner's Orphan Home, died at his home in Dallas, April 9, 1919.

Joseph Alexander Altsheler, author of *The Texas Star, The Texan Scouts,* and *The Texan Triumph,* died in New York City, June 5, 1919.

Cesar Maurice Lombardi, President of A. H. Belo and Company (*The Galveston-Dallas News*), died at Berkeley, California, June 23, 1919. (See sketch in *Dallas News,* June 24.)

A bronze statue of ex-Governor Lawrence Sullivan Ross has been placed on the campus of the Agricultural and Mechanical College of Texas. The statue was designed by Coppini, and a view of it was published in the *Galveston News,* March 22, 1919.

The Texas Pioneers, an organization to cherish and perpetuate the history of the early settlers of Texas, formally organized at San Antonio, April 24, 1919, with the following officers: Honorary President, ex-Governor Joseph D. Sayers; President, Frank H. Bushick; Vice-Presidents, Dr. Frank Paschal and Mrs. A. W. Houston; Secretary, Mrs. Joseph Emerson Smith.

Wyoming Historical Society *Miscellanies,* 1919, contain an article by John B. Kendrick, entitled "The Texas Trail," in which he describes the incidents of driving a herd of cattle from near Austin, Texas, to Running Water, Wyoming, in 1879.

COMMUNICATION

BERKELEY, CALIFORNIA, June 3, 1919.

Editors of the Southwestern Historical Quarterly.

GENTLEMEN: I wish to correct an error in my article on *The Literature of California History,* published in your April number. Father Engelhardt's references to the "Santa Barbara Archives" were in fact to the great archive of Franciscan materials at Santa Barbara and not to files of the Bancroft Library. Without going into detail to explain how my mistake occurred, I may say that the documents in the Bancroft Library are copies, procured by agents of Hubert Howe Bancroft, from the originals at Santa Barbara. I may add, too, that my reference to Father Engelhardt's "subjectivity" was not intended in any way to reflect upon his thoroughgoing honesty and accuracy as a historian.

Yours very truly,

CHARLES E. CHAPMAN.

2423 Hilgard Ave.

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JAMES W. FANNIN, JR., IN THE TEXAS REVOLUTION[1]

RUBY CUMBY SMITH

INTRODUCTORY

In the judgment of recent historians, the causes of the Texas revolt from Mexico in 1835 were far less serious than people of later times have supposed them to be. The general cause, like the general cause of the American Revolution, was "a sudden effort to extend imperial authority at the expense of local privilege."[2] But underlying this was a mutual feeling of racial distrust, which had given tone to all the relations between Mexico and Texas since the foundation of the first American colony in Texas in 1821. When in 1835, because of the sudden rise of military despotism in Mexico, the Texans believed themselves at the point of becoming "alien subjects" of an inferior race, they rose in revolt. Their revolution passed through two distinct phases: (1) a defence of the Mexican Republican Constitution of 1824, in an effort to secure the cooperation of Mexican Liberals who opposed military despotism; (2) a struggle for absolute independence.

The purpose of this paper will be to summarize the development of events leading to the Texas Revolution,[3] and then to study somewhat in detail the career of one of its military leaders, James

[1]This article is part of an M. A. thesis presented to the Graduate Department of the University of Texas in June, 1919.

[2]Barker, "Public Opinion in Texas Preceding the Revolution," in *American Historical Association Report*, 1911, 219-220.

[3]That part of the paper (Chapter I) reviewing the development of the Revolution is omitted in this publication.

W. Fannin, Jr., who lost his life as a result of the divided state of opinion which characterized the first phase of the revolution.

Chapter II

FANNIN AND THE CAMPAIGN OF 1835

No extended biography of James W. Fannin, Jr., has been left to the people of Texas. Were it not for the fact that he was a voluble letter-writer, and recorded minutely to the authorities his actions in the Texas Revolution, our knowledge of him would be almost exclusively confined to his engagement at Concepción and the massacre at Goliad in which he played the role of chief martyr. But thanks to his letters, as well as to other contemporary documents, one may form a fair estimate of the man, though the details of his personal history are exasperatingly few.

We do not know with certainty either the date or the place of Fannin's birth. He tells us himself that he was adopted and reared by his maternal grandfather, J. W. Walker of Georgia, and that he attended West Point under the name of J. W. Walker.[4] The records seem to verify this, for in 1819, then at the age of fourteen years and six months, James *F.* Walker of Georgia was admitted to the West Point Military Academy, and 1819-21, he was a cadet there of the fourth class.[5]

Thrall says that Fannin came to Texas in the fall of 1834 with money furnished partly by friends to purchase slaves and open up a plantation.[6] But a letter found in the Texas State Library suggests[7] that he was a slave trader rather than a plantation owner.

This letter may have reference to the purchase of slaves for his plantation, or it may refer to the beginnings of his slave dealings in Texas. In it he inquires concerning the price, the terms of payment, and the security of a cargo of negroes for Texas, and the possible objection on the part of the government to giving passports to slaves or indented persons leaving Cuba.

It is a well-established fact that Fannin was spoken of by many of the older settlers of Texas as a slave trader. Indeed, in his

[4]Fannin to Belton, August 27, 1835. The Quarterly, VII, 319-320.

[5]Holden to Raines, March 1, 1904. The Quarterly, VII, 320.

[6]Thrall, *Pictorial History of Texas*, 532.

[7]Fannin to Fernandez, May 23, 1833. Domestic Correspondence, Texas State Library.

violent controversy with S. Rhoads Fisher concerning the *Hannah Elizabeth,* Fisher accuses him of bringing from Africa slaves whose "native lingo yet betrays their recent importation."[8] And a detached sentence in the letter to Major Belton above referred to, "My last voyage from the Island of Cuba (with 153) succeeded admirably," would suggest that he at least was interested in slave trading. Certainly he was a slave owner; for on November 6, 1836, he offered to the Texas government to sell, hypothecate, or otherwise dispose of all his property in Texas, "consisting of thirty-six negroes now on Caney Creek and Brazos River to meet the purchase price of war material.[9]

From the beginnings of the revolutionary agitations Fannin was prominent in Texan affairs. His importance in the colony is attested by the fact that on August 20, 1835, he was appointed by the Committee of Safety and Correspondence at Columbia to go to San Felipe and use his influence to persuade Wyly Martin and other persons to cooperate in the call of the consultation of all Texas.[10] However effective his work may have been, a public meeting at San Felipe on September 12, 1835, recommended the consultation, and Martin, along with Randall Jones, William Pettus, Gail Borden, Jr., and Stephen F. Austin, was appointed on a committee to "order and superintend the election of delegates of this jurisdiction, and to correspond with committees of other jurisdictions."[11]

Fannin was not only an active revolutionary agitator, but he had also formed plans for the success of the struggle in which he foresaw Texas would be shortly engaged. Being a West Point man, he believed that the army should be organized largely under the command of West Point officers. Indeed, while in Mobile during the winter of 1834-5,[12] he had suggested to Major Belton of the United States Army that the Texans would probably require aid from the United States, and particularly from a few experienced officers, though he had no notion that the war would begin

[8]The Quarterly, XIII, 188.

[9]The Quarterly, VII, 152.

[10]Archer to Fannin, August 20, 1835. State Library.

[11]Johnson-Barker, *Texas and Texans,* I, 261-2.

[12]Reference made to this in Fannin's letter to Major Belton, August 27, 1835. See above, note 4.

so soon. In the letter above mentioned,[13] he gives an idea of the threatened invasion of the Mexicans and of the preparations of the Texans:

"We are now preparing—having organized the National Guards into Companies; and sent orders to U. States for arms and munitions; and united in the call of a convention of the people on the 15th of Oct. next. That convention will Declare *Us Independent.* . . . Letters of marque will be issued . . . and we will have afloat a sufficient naval force to guard our coast and cripple their trade from the Campeachy banks to N. Orleans." The main object of the letter, however, was to inquire whether Fannin could present Major Belton's name at the convention, or at any subsequent time, "as an officer qualified and willing to command as brave a set of backwoodsmen as were ever led to battle"; for he added later, " 'When the hurly-burly is begun,' we will be glad to see as many West Point boys as can be spared."

Major Belton neither declined nor permitted the use of his name before the consultation; but he offered, while he should be in New Orleans, six or eight days every month, to inspect and forward military arms and stores to Texas.[14] Fannin later wrote to the president of the Consultation of Texas and advised that Major Belton be tendered a nomination in the proposed military organization. But neither the president nor the consultation acted on the matter, and thus Fannin's plan of using West Point military officers came to naught.[15]

Fannin's letter to Major Belton was dated August 27, 1835, and by that time Texan resistance to Santa Anna was practically an assured fact. Several times during the exciting month of September we hear of Fannin's actions. On the 8th, he attended the banquet at Brazoria given in honor of Austin, who had just returned from his imprisonment in Mexico. The toast he gave on that occasion was timely and seems characteristic of his policy throughout the revolution:

"Union; may the people of Texas unite Roses white and red

[13]Fannin to Major Belton, August 27, 1835. THE QUARTERLY, XIII, 318-20.

[14]THE QUARTERLY, VII, 321.

[15]THE QUARTERLY, VII, 324.

and their only emulation be who shall, who will do the most for the public good."[16]

Only ten days after this famous banquet, word was received at Matagorda from Copano that the armed vessel *Veracruzana* with General Cos on board had arrived and was landing arms and ammunition, and that Cos was to await the arrival of two other vessels with four hundred troops, which were expected soon.[17] Fannin, who was spreading the news, added:

"We have determined to raise a sufficient force to justify a reasonable belief that we can succeed in an effort to secure at least the arms and ammunition and if possible the troops. You know we are weak in numbers—tho Thank God *united in council.*"

He then showed how the settlers had planned to capture the *Veracruzana;* namely to rendezvous at Robinson's ferry on the Colorado and later to proceed to James Kerr's on the Lavaca where proper information would be received to guide their future operations. Lastly, he asked the cooperation of the various settlements, and urged that the news be spread "as speedy as possible," declaring that he himself would attend personally to Matagorda Bay and Bay Prairie, to see that suitable spies and scouts were sent ahead for information on which to rely.

The news of the arrival of the *Veracruzana* caused great excitement in Texas, because it proved to the Texans that Santa Anna intended to carry out his threat of establishing soldiers among them. Austin, as chairman of the Committee of Safety and Correspondence at San Felipe, on September 22, having just heard the news, urged those who could to join the expedition on the 28th. And on the 26th of September, there appeared in *The Texas Republican* a list of persons, Fannin among the number, each subscribing $500 to buy "arms and munitions of war." There was added this warning: "Let General Cos come. We will give him a warm reception."

But the expedition did not materialize. The next thing we hear of it is that Fannin had countermanded the order for the movement against Copano. The letter giving this information adds:[18]

"Mr. Fannin says that he has no doubt but that the Steam Boat

[16]*The Texas Republican,* September 16, 1835.

[17]Fannin to Mills, September 18, 1835. State Library.

[18]Kerr to Austin, September 30, 1835. State Library.

Laura and the Schr Caledonia can take the Veracruzana, and insists on the movement. He gives it his opinion that it will be undertaken. The citizens here are anxious that Bejar should be taken. In this district of country we are united, and as one man."

The fact is that Fannin instead of getting up the expedition against Copano had rushed to Gonzales at the call of the patriots there and Cos was given "free passage" to Bexar, where he arrived on October 9. This was because of a demand made by Ugartechea for a cannon which had been given the inhabitants of Gonzales, a town on the east bank of the Guadalupe, eighty miles from Bexar, for protection against the Indians. The alcalde had refused to give up the cannon, and on September 25, 1835, the Committee of Safety at Gonzales, satisfied that as soon as this refusal was known Ugarthechea would send a force against them, applied to the Committee at Mina and to J. H. Moore, Rio Colorado, for assistance.[19] Volunteers immediately responded to the call, and on October 1, they numbered one hundred and sixty-eight. Meanwhile, Mexicans to about the number of two hundred had been sent to take the cannon, and were encamped on the side of the river opposite the town waiting reinforcements. On October 2, the Texans attacked the Mexicans with the desired cannon, and the Mexicans fled toward Bexar.[20] Thus was fought the battle of Gonzales; thus was begun the Campaign of 1835.

During the first part of this campaign Fannin was captain of the Brazos Guards, and was one of the most active leaders of the volunteers. On October 2, in connection with several prominent leaders, he addressed a letter to his fellow-citizens urging them to come to Gonzales "armed and equipped for war even to the knife;"[21] and on the sixth of October, he was one of the committee who urged Austin to come at once to Gonzales, and bring all the aid possible.[22]

Austin complied without delay, and on the 11th was elected commander-in-chief of the volunteers there. On the 12th, he was informed of the capture of the fort at Goliad, three days before, by a small number of volunteers under Collingsworth, an event

[19]Foote, *Texas and the Texans*, II, 69.
[20]Foote, *Texas and the Texans*, II, 98-103.
[21]*The Texas Republican*, October 7, 1835. Austin Papers.
[22]*The Texas Republican*, October 10, 1835. Austin Papers.

which proved of great benefit to the army, for in the fort were found stores and supplies which were of immediate use. On the 13th the army started for Bexar, and by the 20th had reached the Salado, about five miles from the city, where they halted to await reinforcements. Here Austin dispatched Bowie and Fannin with a small detachment to visit Espada and San José Missions, in order to learn their condition, to secure supplies, and to protect the La Bahia road.[23] Fannin and Bowie took up their position at the Espada Mission and sent several letters to Austin, dated October 22, 23, and 24, reporting mainly on their situation and asking for more men and for money with which to purchase supplies.[24]

The entire army now left the Salado, and established headquarters at Espada, and on October 27, Austin sent the first division of Fannin's company and others attached to that division (in all about ninety men) under the command of Bowie to select a place of encampment for the army nearer San Antonio.[25] After inspecting San Juan and San José, they proceeded to Concepción, one and one-half miles from town, selecting ground for the camp in the bend of the river within five hundred yards of the mission. Next day they were attacked by four hundred Mexicans, whom they completely defeated, thirty minutes before the main volunteer army of the Texans came up.[26]

When morning broke (October 28), Bowie and Fannin had found themselves almost surrounded by Mexicans, but withdrawing into the river bottom where protection was afforded them by the bank of the river as well as by a skirt of timber, they divided their command into two parties. The Mexicans advanced to within two hundred yards of Fannin's right and opened an effective fire. Bowie now wheeled his division and stationed himself at Fannin's left. The Mexicans pushed to within eighty yards of the Americans and sounded a charge; but their cannoneer was killed, and the charge quickly checked. Three times the Mexicans attempted to charge, but each time they were repulsed, the last time fleeing

[23]The Quarterly, XI, 5-22.

[24]Austin Papers.

[25]The Quarterly, XI, 32.

[26]The official account of this battle is given in the *Telegraph and Texas Register* of November 14, 1835.

in disorder and leaving the cannon in the hands of the Americans. In the engagement, the volunteers had one killed and none wounded; the Mexicans nearly a hundred killed and wounded. The official report to Austin adds: "Had it been possible to communicate with you, and brought you up earlier, the victory would have been decisive, and Bejar ours before twelve o'clock."

Fannin's usefulness with the volunteer army did not cease with this famous victory. On November 10th, he with one hundred and fifty men, "all picked," was ordered[27] to cut off reinforcements and a quantity of flour from Laredo to the Mexican garrison in San Antonio. Austin, in recording the results of this in his Order Book, says:

"Capt. Fannin marched promptly, but was not joined by the party from the upper camp, he however proceed[ed] on the Laredo road as far as rio frio. He ret. last night. I enclose his official report. This officer has been very efficient and I recommend him as one of the officers of the regular army when it is organized."[28]

Four days later Fannin left the army. The high regard which Austin felt toward him is expressed in his discharge:

"Headquarters before Bexar,
"November 22, 1835.

"Captain J. W. Fannin having represented the absolute necessity of returning home, I have granted to him an honorable discharge, and have to say that he has uniformly discharged his duty as a soldier and as an officer.

"Stephen F. Austin, Commander in Chief."[29]

Previous to this, Houston in a confidential letter to Fannin, dated November 13, had offered Fannin the position of inspector-general of the regular army with the rank of colonel in line, and had desired[30] his presence at headquarters when headquarters were established. Houston's letter is of interest, not only because it indicates the high regard which Houston had for Fannin's military ability, but also because it shows that Houston then thought La Bahia and Gonzales the logical places for stationing the army to

[27]Austin's Order Book, THE QUARTERLY, XI, 38.
[28]THE QUARTERLY, XI, 49.
[29]Baker, *Texas Scrap Book*, 657.
[30]Houston to Fannin. Baker, *Texas Scrap Book*, 655-6.

repel the Mexicans. We shall later notice how, strangely enough, Fannin was stationed at La Bahia, while Houston took charge of the army at Gonzales.

After leaving the army, Fannin was not idle in public affairs. We hear of him a few days later advising the government as to the organization of the army. On November 31, 1835, he wrote[31] Governor Smith calling his attention to the qualifications of several young officers of the United States army, who had signified their willingness to come to Texas in case a stable government should be formed.

"They are," [he says,] "all Civil, Military and Topl. [topographical] Engineers. In war you need them to protect your fortifications on the Coast and survey your Harbours, Coast, Railways, Rivers, and Canals. In short you wish them and must have them to organize and direct your army, and protect your coast, and place your country in that attitude, that it will (be) dangerous to invade it."

Fannin believed that the regular army created by the Consultation was too small to accomplish its purpose, and recommended to the Council that at least it should be doubled. No doubt because of this recommendation the Council on December 5 passed an ordinance to establish "an auxiliary volunteer corps to the army of Texas," which was to be composed of permanent volunteers, or those who entered the army for the duration of the war, and other volunteers who enlisted for three months or even a shorter period.[32]

Five days after the creation of this volunteer corps, information having been received that the assault on Bexar had begun and that the army was in need of supplies and reinforcements, the Council (December 10) appointed Fannin, along with Thos. J. Rusk, to enlist reinforcements for the army for thirty days. This was three days after Fannin's appointment as colonel in the regular army. Fannin's "province" was west of the Trinity, and

[31]Fannin to Smith, November 31, 1835. THE QUARTERLY, VII, 324-5.

[32]Barker, "The Texas Revolutionary Army," in THE QUARTERLY, IX, 227-261.

The permanent volunteers of the auxiliary corps were to have the special privilege of choosing their own officers, and at the expiration of the war each soldier so volunteered was entitled to a land bounty of six hundred and forty acres. Most of the volunteers from the United States entered this branch of the army.

Rusk's was east. Their powers were comprehensive, constituting them not only as recruiting agents but also agents or contractors for supplying ammunition, provisions, and other necessities for the reduction of Bexar, and enabling them to purchase all articles necessary for the volunteers that might enlist, to press into public service horses, teams, wagons, or vessels for transport, to appoint store keepers or sub-agents at discretion and to issue supplies to the troops so volunteered as they deemed necessary and to the interest of the government. They were to advise the Council regularly of their proceedings and to give aid and comfort to all volunteers in the field.[33]

The agents set out at once in discharge of their duties. Bexar, however, had fallen, December 9, 1835, even before their appoint-

[33]Gammel, *Laws of Texas*, I, 647. Following is the resolution:

"Be it resolved by the General Council of the Provisional Government of Texas,

"That it is most earnestly and urgently recommended by our fellow citizens, promptly to volunteer and repair to the camp before Bexar, to unite with the citizen army there, in saving our country from a long and bloody war by the speedy reduction of that post.

"Be it further resolved, that J. W. Fannin, junior, and Thos. J. Rusk be appointed, and they are hereby appointed by the General Council aforesaid, forthwith to proceed, the one on the east side of the Trinity, the other on the west side, for the purpose of collecting reinforcements and have them enrolled for service for thirty days, in separate corps, for aiding in the reduction of Bexar: Provided that each corps shall elect its own officers in number according with the regular army, and all be under the direction of the volunteer commander in the field. And also provided, that said volunteers shall receive the same pay and immunities as the most favored soldiers of the country.

"Be it further resolved that the aforesaid J. W. Fannin, Jr. and Thos. J. Rusk, be and are hereby constituted agents or contractors for supplies, ammunition, provisions, and other necessaries, for carrying into effect these resolutions, and they or either of them are hereby vested with full powers, to purchase all articles necessary for said volunteers, upon the faith of the Provisional Government, or if not otherwise to be provided to take such articles and to press horses, teams, wagons, or vessels for transporting into public service, giving receipts or appraisements for all such takings or impressments, and the aforesaid agents may appoint public storekeepers and sub-agents at their discretion, and issue to the troops so volunteered, as they may deem necessary and to the interest of the government, in all cases taking the proper vouchers for their acts.

"Be it further resolved, that the said agents or contractors shall keep the council regularly advised of their proceedings and of whatever in their opinion may be required of the General Council, to give aid and comfort to all the brave volunteers now in the field, in their country's service.

"Be it further resolved, that the preceding report and resolutions be printed and circulated throughout Texas.

"Be it further resolved that this House appoint the following persons to act in concert with Colonel Fannin for carrying into effect the objects of the above resolutions."

ment; so no more troops were needed for its reduction. The agents, nevertheless, did valuable work in forwarding food and stores to the volunteers there.

At no time does Fannin appear to better advantage than while in discharge of his duties as recruiting officer. On December 25, 1835, in reply to a letter from the commissioned and non-commissioned officers of the Georgia Battalion, tendering "its unfeigned and heartfelt gratitude for the kindness and cordiality" with which Fannin had welcomed them and their companions in arms to the shores of Texas, Fannin declared that the welcome was not only one of duty, but of proud satisfaction. Continuing, he advised the Georgians to prepare themselves for the struggle by suitable discipline. "It gives confidence," he said, "and will insure sucess." He urged the volunteers not to engage in the political affairs of Texas, but "with a strong arm, in the common cause" to prove their valor and conduct in the field.[34]

Thus did Fannin serve Texas in the campaign of 1835 as agitator, soldier, government advisor, and recruiting officer.

The results of this campaign were indeed gratifying to the Texans. Their purpose had been to expel the Mexican soldiers from the State, and this they had done in a little over three months. However, the Texans felt in no way secure, for soon confused rumors of a second Mexican invasion were heard on all sides. *The Telegraph and Texas Register* of December 26, 1835, declared that 1500 Mexicans, who were on their way to aid General Cos when he surrendered at Bexar, were now just beyond the Rio Grande; and again on January 2, 1836, it printed the news that Santa Anna with 10,000 men was coming to Texas, and that it was his purpose to "leave nothing of us but the recollection that we once existed." These rumors were nothing but exaggerated reports of what was actually taking place, for Mexican soldiers, this time commanded by Santa Anna in person, were once more preparing to enter Texas.

To repel this formidable army, the Texans had small forces of volunteers, mainly from the United States, stationed at San An-

[34]J. W. Fannin to Messrs. Wm. Ward and others, December 25, 1835. Foote, *Texas and the Texans*, II, 189-192.

These soldiers whom Fannin welcomed were about two hundred in number, and later became the "Georgia Battalion of Permanent Volunteers."

tonio and Goliad. The regular army was small, and as yet had not been definitely organized. Though it was thought that the Mexicans might not arrive till March, yet many believed that something might be done by the volunteers already organized to prevent the entrance of the Mexican army within the borders of Texas. For this reason, among others, the fitting out of the Matamoras Expedition was urged, which, while furnishing employment for the volunteers, might have the desired effect of keeping the Mexicans out of Texas altogether. There was great opposition, however, to this movement; but Fannin was finally appointed to command it.

(*Continued.*)

BORDER TROUBLES ALONG THE RIO GRANDE, 1848-1860

J. FRED RIPPY

During the twelve years subsequent to the Mexican War there were present on the frontiers of Texas and Mexico many factors which tended to create disturbances. The topography of the country, the sparsity and general character of its population, the lack of an extradition treaty and of sufficient national authority, wild Indians of uncertain abode, the Mexican tariff system,—all caused friction and gave encouragement to lawlessness which not only retarded the development of the region, but often threatened to interrupt friendly relations between the two republics.

General Features of the Frontier Section.—By the treaty of Guadalupe Hidalgo the Rio Grande was constituted the boundary between the United States and Mexico for a distance along the river of more than 1300 miles. For the first 550 miles on both sides, level plains, rolling prairies, and low hills, stretch away in succession from the belt of alluvial soil which forms the immediate border of the river. During the period under consideration, a thick growth of chapparal covered the lands adjacent to the stream almost continuously from its mouth to its junction with the San Pedro. Throughout this entire section the river was easily approached, and the chapparal furnished a splendid hiding for criminals until an opportunity of crossing by boat, or by one of the numerous fords, presented itself, whereupon a few minutes put him across the international boundary beyond the reach of his pursuers.

"Ascending beyond the mouth of the San Pedro, or Devil's river, the whole character of the country changes. The bed of the river becomes hemmed in by rocky mural banks, the tops of which are beyond the reach of irrigation, and, from the aridity of the climate, they can never be made subservient to the purposes of agriculture. The course of the river from this point up to Ft. Leaton, near Presdio del Norte, a distance of 387 miles, is almost one continuous cañon, utterly unsuited to navigation, and with a few exceptions unsuited to settlement." The cañon is interrupted

at a few points, however, and here the Indians, having an accurate knowledge of the country and no regard for international lines, crossed and recrossed at will. From El Paso downward to Presidio del Norte, more than 350 miles by the sinuosities of the stream, the river makes its way through alternating gorges and fertile valleys.

Along its course from the mouth to El Paso there is altogether a considerable amount of rich soil adapted to cultivation when slightly irrigated. A strip of such land from five to ten miles wide extends almost continuously for 100 miles southeastward from El Paso; between Roma and Rio Grande City, Edinburgh and Brownsville, are even richer belts, while from Laredo to Bellville are occasional flats which could be irrigated.[1]

Number and Character of the Population.—After the Mexican War, a few American settlers, encouraged by the somewhat meager protection of Texas Rangers and of the United States troops, began to move into this No-Man's-Land between the Nueces and the Rio Grande and establish their ranches. More of them, preferring the trading advantages of the immediate borders of Mexico, pushed across this region to the banks of the river. A large number of Mexicans, too, returned to their former homes in the Rio Grande-Nueces region, or settled along the bottoms of the left bank of the Rio Grande. Unfortunately a great many Mexican criminals and political misfits made their way into this border region, and thither came a considerable number of American desperadoes. But at no time previous to 1860 was the population within a strip of country 300 miles wide, and extending from the mouth of the Rio Grande to El Paso, at all numerous.[2]

Settlements on the Mexican side, though less sparse, were by no means dense along the lower part of the river. As one ascended the stream the population gradually decreased, vanishing almost entirely in the arid mountains of northwestern Nuevo León and northern Coahuila and Chihuahua. Moreover, it was wretchedly

[1]This description is based mainly upon Major Emory's report of the survey of 1849-53, in *House Ex. Doc.* 135, 34th Cong., 2d Sess. Other valuable references are, F. L. Olmsted, *A Journey Through Texas* (New York, 1857); Cora Montgomery, *Eagle Pass* (New York), 1852.

[2]There were probably 25,000 in this section in 1860, of which 80 or 90 per cent. were Mexicans. *U. S. Census,* 1860; Olmsted, *op. cit.,* 165; *House Ex. Doc.* 52, 36th Cong., 34-35, 39-40, 41-43.

poor, and the advantages of the American side tended to encourage emigration.[3]

The inhabitants of this region, furthermore, lived in constant dread of Indian invasion. Comanches, Lipans, Kiowas, Apaches and others frequently descended upon the settlements carrying off the stock and other property, making prisoners of the women and children, often taking the lives of the unfortunate settlers, and then escaping to the chapparal along the river, or into the mountains farther to the north.

If the criminals and the honest settlers, and the Indians and the whites were incompatible, the Anglo-Saxons and the Mexicans were scarcely less so. The former were sometimes selfish, aggressive and overbearing; the latter were suspicious, underhanded, often proud and sensitive. The former had their negro slaves, the latter their *peons;* and both classes of servants not infrequently sought freedom by crossing the international boundary. The situation was further complicated by the presence on the American side of a large German element opposed to slavery.[4]

To control these discordant elements a strong government was needed on the frontier, but this was lacking. The Mexican central government, weak and constantly changing in personnel, only made its power felt by the appointment of new military commanders and governors, or by its attempts to levy high tariffs upon, or to prohibit entirely the importation of commodities much needed by the border population. The arm of the United States, though stronger, was slow to exert its influence upon this far distant frontier. The situation would have been greatly improved by an extradition treaty, but such an agreement, though often talked of, was never made until 1861.[5]

The Four Episodes.—Omitting the offences of a more or less petty nature which are characteristic along all interstate or international boundaries,[6] the history of this period falls rather natur-

[3]*Senate Rep.* 166, 41st Cong., 2nd Sess., 2.

[4]Mauritz Tilling, *History of the German Element in Texas,* etc. (Houston, 1913), 1-131; Olmsted, *op. cit.,* 327-329.

[5]*House Rep.* 701, 45th Cong., 2d Sess., app. D, 331-332.

[6]Occasional feuds, robberies and thefts, for instance.

There seems to have been considerable stealing of horses and cattle, but this phase of the question is important mainly as an antecedent to the difficulties which arose over the matter in the seventies when it became the subject of considerable diplomatic correspondence.

ally into four episodes: The Merchant's War, the Invasion of Piedras Negras, The Cart War, The Depredations of Cortina.

The Merchant's War.—In order to understand what may appropriately be called the Merchant's War, it will be necessary to go somewhat fully into the Mexican tariff laws of the period. By those laws, the commodities which the northern frontier of Mexico needed most, and those which the merchants of the United States could most conveniently and profitably furnish were either placed under a heavy duty or prohibited. The tariff law of October 4, 1845, prohibited sugar of all kinds, flour, lard, bacon, molasses, rice, coffee, tobacco, raw cotton, cotton threads and cotton textiles of coarser weaves.[7] On April 4, 1849, the prohibition was removed from a number of these at the port of Matamoras, but a high tariff was levied upon them, and on April 5, 1851, the importation of sugar was again prohibited.[8] By decree of November 14, 1849, all duties were uniformly lowered 40 per cent., but they were still high.[9]

A bare statement of the situation serves to present the difficulty. No sooner had the Mexican war closed than the American traders began to feel the embarrassments of the Mexican revenue system. Immediately after Taylor invaded Mexico, the United States issued circulars establishing its own tariff and inviting American merchants to introduce their goods.[10] The tobacco dealers seem to have responded most readily to this call, and thousands of pounds were introduced under the new system. When hostilities came to an end, it was found that a great deal of this commodity was yet unsold. The treasy of Guadalupe Hidalgo accordingly made provision for the protection of these and other dealers, the nineteenth article stipulating that goods brought into ports, or taken into interior points, during their occupation by the United States forces should not be subject to import or sale duties, or to confiscation, after the withdrawal of the troops.[11] Nevertheless, the Mexican authorities proceeded to levy duties upon these goods, or refused

[7]Dublan y Lozano, *Legislación Mexicano*, V, 42-44, 62-63, articles 9 and 22.

[8]*Ibid.*, V, 545-546, VI, 42-43; *Senate Ex. Doc.* 52, 32d Cong., 2d Sess., 228-229.

[9]*Senate Ex. Doc.* 52, 32d Cong., 2d Sess., 227.

[10]*Senate Ex. Doc.* 80, 32d Cong., 1st Sess., 57.

[11]Malloy, *Treaties*, etc., I, 1115-1116.

to grant permits for their entrance to the interior, and in some instances seized them outright.

One of the most important of these cases, and one which may serve to illustrate this phase of the subject, was that of Samuel A. Belden and Company of Matamoras and Turner and Renshaw of New Orleans. The latter firm had imported during the American occupation 565 bales of tobacco, and had not disposed of it when the treaty of peace was signed. The Mexican government delayed the granting of permits until the tobacco was injured, and Turner and Renshaw were forced to sell it at a reduced price, obtaining an average of $13 instead of a possible $25 per hundred. Three hundred bales of the tobacco were bought by Belden and Company, perhaps with the hope of realizing handsome profits from the investment. In October, 1850, after having received the proper permits, the company dispatched an agent with the tobacco to Saltillo. Upon its arrival at that place, it was seized by order of a federal judge, condemned and sold. Moreover, Belden and Company were subjected to a fine of $26,000, their store and stock at Matamoras were seized as security, and Belden himself was forced to flee to Texas in order to avoid arrest.

By these outrages Belden claimed he had been injured to the extent of $500,000. He straightway addressed the President of the United States regarding the matter and sent in a petition to Congress. On May 6, 1852, Congress called upon the President for documents regarding the claim. A few days later they were communicated to that body with the statement that the matter had been taken up in a diplomatic way.[12] Belden did not realize anything on his claim until 1855, however, and the matter was not finally settled by Mexico until about twenty years later when Belden and Company were awarded some $128,000 and Turner and Renshaw received some $18,000.[13]

Besides this case there were ten or fifteen others of a similar nature,[14] and it may be taken for granted that such procedure did not leave the merchants of the left bank of the river in the best of humor. They were doubtless further irritated because they knew that British traders were the owners of the tobacco monopoly,

[12]*Senate Ex. Doc.* 80, 32d Cong., 1st Sess., 1.

[13]*Senate Ex. Doc.* 31, 44th Cong., 2d Sess., 24-25, claims 113 and 131.

[14]*Ibid.*, 18 *et seq.*

as well as the dictators of some of the prohibitory tariffs.[15] The American merchants had come to the borders of Mexico for the profits of trade, and profits they were going to obtain whether by legitimate or illegitimate means. They accordingly began smuggling, and, judging from the amount which went on, the returns must have been large. Practically every American along the international line preferred the career of a merchant; and smuggling, having ceased to be a crime, "was identified with the best part of the population" and entered into the "romance and legend of the frontier."[16]

But the smugglers had numerous vexations. The custom-house guards of Mexico showed considerable energy. In November, 1849, the guards of Camargo seized a contraband, and in January, February and March, 1850, others were intercepted.[17] On July 20, 1850, the federal government of Mexico made provision for a special guard for the northern frontier, consisting of a commander, ten lieutenants, and fifty subordinates.[18]

This tightening up of the revenue system was probably one cause of the Merchant's War. From time to time the merchants of the section organized bands for the recovery of their goods, and they had often succeeded in their efforts;[19] they now determined to operate on a larger scale. Influential in leading them to this determination perhaps, was the presence on the frontier of José María Carvajal, a Mexican of intelligence, and an ambitious dreamer who contemplated the formation of a republic out of the northern states of Mexico.[20] By supporting this leader the merchants could introduce their goods at a low rate of duty; and Carvajal was glad to take advantage of the opportunity to enlist American arms and obtain American money. Everything being in readiness by the middle of September, he crossed over with an

[15]*Senate Ex. Doc.* 80, 32d Cong., 1st Sess., 4; Em. Domenech, *Missionary Adventures in Texas and Mexico* (London, 1858), 327; *House Ex. Doc.* 47, 34th Cong., 1st Sess., part III, 412-415.

[16]Emory's Report, *loc. cit.*, 63-64.

[17]Mexican Border Commission of 1873, *Report*, 179-180.

[18]Dublan y Lozano, *op. cit.*, V, 729-730.

[19]Mexican Border Commission of 1873, *Report*, 179-180; *Senate Ex. Doc.* 31, 44th Cong., 2d Sess., 74, no. 137.

[20]The plan of *La Loba* under which Carvajal was fighting had been pronounced by José María Canales and associates. Canales, however, probably took no part in the immediate movement supported by the American traders. *El Siglo XIX*, October 2, 1851, *et seq.*

army of Mexicans and Americans estimated at from two to three hundred to seven hundred and seized Camargo. On October 20, after a month spent in parleying, and after the merchants who perhaps saw it to their advantage not to allow the revolution to assume too great proportions, had induced Avalos, one of the Mexican frontier commanders, to lower the tariff in order to obtain money to put down the rebellion, the forces of Carvajal moved upon Matamoras. Then began a series of what might almost be termed sham battles. At length, "after eleven days of attacking, sacking and burning," the "fillibusters," as they were denominated in the official report to the Mexican government, "retired demoralized and with great losses."[21]

Carvajal took refuge in the United States where he gathered together another force within a month and recrossed the line, only to be severely chastized during an attack upon Cerralvo and forced once more to flee to the north side of the river. On February 21, 1852, he made a third attempt near Camargo, having with him this time more than four hundred Americans; but he was again defeated and driven back into the United States. Even this encounter seems not to have put an end to his invasions, for in the spring of 1853 he made another attempt, while in 1855 rumors of a threatened attack were current.[22]

The Americans along the border were chagrined and irritated, as well on account of the defeat of their comrades by the Mexican forces, as by the execution of several who were taken prisoners. General Avalos was burned in effigy at New Orleans and hanged in effigy on the banks of the Rio Grande opposite Matamoras after two days of parading; one of the officers of the filibusters crossed the river one evening by twilight, surprised and dispersed a Mexican guard of ten persons, and seized their horses; and Monterey-Laredo was several times menaced by Americans.[23]

The Mexicans, on their part, encouraged by their success, ventured to make excursions across the river into the territory of the

[21]Bolton, *Guide to the Mexican Archives*, 299.

[22]*Ibid.*, 299, 302. On this whole affair, see Domenech, *op. cit.*, 327 *et seq.;* Zamacois, *Historia de Méjico* (Mexico, 1877-1882), XIII, 481, 482, 485-487, *passim;* Bancroft, *History of Mexico*, V, 603-606; Mexican Border Commission of 1873, *Report*, 188-189; *El Universal*, October 3, 1851, and *El Siglo XIX*, September 30, 1951, *et seq.*

[23]Emory's Report, *loc. cit.*, 61-62; Domenech, *op. cit.*, 341; Mexican Border Commission of 1873, *Report*, 190.

United States. Avalos who naturally was not very well pleased by the sight of his effigy dangling on the opposite bank, seems to have instigated a widespread Indian invasion,[24] while a party of Mexicans, apparently under the orders of Canales, another Mexican military commander of the frontier, destroyed the ranch of A. V. Edmondson situated about forty miles above Brownsville, and declared they were going to rob and kill all the Americans living along the river.[25]

The Carvajal episode was in itself comparatively insignificant, but taken in connection with the movements and public opinion of the time it assumes considerable importance. Contemporary with his operations on the Rio Grande filibustering preparations were being made in California and expeditions were being launched against Cuba. When, therefore, the Galveston *News* and the *Picayune* of New Orleans declared that the Carvajal movement was designed to set up a republic in northern Mexico, the Mexican government became considerably alarmed.[26]

It happened just at this time that negotiations were in progress with Mexico for the settlement of claims, the modification of the treaty of Guadalupe Hidalgo, and the protection of American interests upon the isthmus of Tehuantepec.[27] Since it was believed in Mexico that the United States was in sympathy with Carvajal and the filibusters, these negotiations were checked. Letcher, the American minister, declared in October, 1851, that the revolt on the Rio Grande, attributed as it was solely to his countrymen, embarrassed all his negotiations exceedingly. "Why grant privileges," it is said, "to a people whose object is to rob us of the whole of our country whenever it may suit their convenience or gratify their cupidity?"[28] In March, 1852, Letcher stated that the "third invasion against Mexico by Carvajal, having as officially stated, four hundred and eighty Americans, has awakened a feeling of intense prejudice against everything connected with American interests."[29]

[24]Domenech, *op. cit.*, 347-348.

[25]*Alta California*, June 16, 1852.

[26]Zamacois, *op. cit.*, XIII, 482; Riva Palacio, *Méjico através los Siglos* (Mexico, n. d.), IV, 763-764.

[27]*Senate Ex. Doc.* 97, 32d Cong., 1st Sess.

[28]Letcher to Webster, October 29, 1851. *Ibid.*, 100-102.

[29]Same to same, March 18, 1852. *Ibid.*, 125.

Despite this feeling in Mexico, the United States, though moving somewhat slowly, seemed to be making an earnest effort to preserve neutrality. On October 22, 1851, President Fillmore issued a proclamation warning American citizens against engaging in the expedition being fitted out against Mexico and calling upon the civil and military authorities to arrest for trial and punishment all offenders.[30] In December of the same year, Webster, in reply to Letcher's letter regarding Mexican complaints, declared that his government could not reproach itself with any dereliction of duty in its endeavors to prevent citizens of the United States from joining the standard of Carvajal, or joining in any acts of hostility toward Mexico." He believed that Twiggs [Smith], the United States commander in Texas, had made an earnest attempt to deal with the situation, but his efforts had been in a great degree paralyzed by the desertion of the United States troops to Carvajal, a thing which might have been avoided if there had been an extradition treaty. Webster declared, further, that the best of understanding had existed between the United States military officials of the frontier and General Avalos of Matamoras, they having furnished the latter a steamer to convey reinforcements from the mouth of the Rio Grande.[31]

In July, 1852, Smith reported to the Adjutant General that the last effort of Carvajal (February, 1852) had been so embarrassed and precipitated by General Harney of Fort Brown that the precautions for certain success could not be taken, and that the suppression of the Carvajal enterprise was in a very great measure due to the efforts of that officer.[32] Carvajal was made prisoner in the spring of 1852, but he easily found persons to sign his bail and was released. He and two of his American associates were apprehended again by United States troops in April, 1853, only to be released once more on bond and apparently never convicted.[33]

The Invasion of Piedras Negras.—The second important episode of the period is connected with the question of Indian invasions from Mexico and the recovery of runaway slaves. As the military

[30]*Senate Ex. Doc.* 2, 32d Cong., 1st Sess.

[31]Webster to Letcher, December 22, 1851. *Senate Ex. Doc.* 97, 32d Cong., 1st Sess., 109-111.

[32]*House Ex. Doc.* 1, 32d Cong., 2d Sess., Part II, 15-20.

[33]Zamacois, *op. cit.*, XIII, 530, 622, 635-636.

forces of the United States crowded the Indians of the Southwest more and more, some of them sought refuge in Mexico. By agreements of 1850 and 1852, peaceful Seminoles and Muskogees had been allowed to settle in the vicinity of the military colonies of the East and Chihuahua.[34] Soon afterwards, Chihuahua adopted a general policy of pacification.[35] Wild Cat and his bands were living near Santa Rosa in 1853,[36] while in June of the following year Percifer F. Smith, commander of the military department of Texas, reported that a tribe of Lipans and three bands of Mescalero Apaches had established themselves in Mexico, the former opposite Laredo and Fort Duncan, and the latter in Chihuahua.[37] In due time complaints that these Indians were raiding into Texas began.

The loss of slaves by their escape into Mexico was, moreover, becoming large and irritating. Carvajal had enlisted the support of a group of men who were interested in the recovery of slaves, and the breaking up of his force had been complicated by the fact the leader of a contingent held a permit from the Governor of Texas for the recovery from Mexico of negro fugitives. From time to time, also, masters of runaways had organized bands and pursued them into Mexico without permission.[38]

Apparently both these factors—Indian invasions and runaway slaves—combined to force a crisis in 1855. In the spring and fall of that year, Lipans, Kickapoos and other tribes from Mexico made serious raids into Texas.[39] At the same time a party of citizens of San Antonio decided to make some effort to recover the slaves which in large numbers had taken refuge on the frontier of Coahuila. On August 25 they addressed a letter to Colonel Lanberg, who was in command of the frontier of that State, inquiring of him as to how many negroes could be recovered and under what conditions they would be delivered at the banks of the river. Their

[34]Mexican Border Commission of 1873, *Report*, 304; Ministerio de Guerra y Marina, *Memoria 1851*, 30.

[35]Emory's Report, *loc. cit.*, 86.

[36]*Ibid.*, 43.

[37]*House Ex. Doc.*, 1, 34th Cong., 1st Sess., part II, 53-54.

[38]*House Ex. Doc.* 1, 32d Cong., 2d Sess., 16; Mexican Border Commission of 1873, *Report*, 178-179.

[39]Brown, *History of Texas*, II, 370-371; Commissioner of Indian Affairs, *Report 1855*, 179; Gadsden to Mexican Minister of Relations, October 25, 1855, in Bolton, *op. cit.*, 230.

letter closed with the scarcely concealed threat that their "future measures and proceedings" would depend wholly upon the report made by Lanberg, and that, in the meantime, they were "preparing to act promptly."[40]

The reply of the Mexican official was favorable. He suggested that some arrangement might be made for the exchange of negroes for runaway *peons*,[41] and proceeded to take up the matter with Nuevo León. The government of that State responded that although it was cognizant of the injuries suffered by both countries in this respect, it could only take the matter up with the Governor of Texas and not with private individuals. The communication then answered the threat of the citizens of San Antonio in the following words:

"If notwithstanding the foregoing [namely, the willingness to come to an agreement with the State of Texas regarding the recovery of the fugitives] the people of 'Bejar,' who have addressed you [Colonel Lanberg], decide to invade our frontier with a view to recovering their runaway negroes and stolen horses, in this case you will be compelled to resist force with force."[42]

By the first of October an American expedition consisting of three companies of Texans under the command of J. H. Callahan, a veteran of the Fannin Massacre, had arrived at the banks of the Rio Grande near Fort Duncan. They were presumably in pursuit of Indians alone; but it is likely that they also sought slaves, and in case their expedition met with success they may have contemplated the permanent occupation of a portion of Mexican territory.[43] On October 3 they had an encounter some distance south of the border with a combined force of Mexicans and Indians. Defeated and forced to retreat, they fell back upon Piedras Negras, pillaging and burning the town on the 6th. The Mexican forces which had been "detained awaiting ammunition" put in their appearance on the same day, but were deterred from harassing the Texans as they crossed into United States soil by a demonstration from the commander of the federal forces at Fort Duncan.[44]

[40]Mexican Border Commission of 1873, *Report*, 191-192.

[41]*Ibid.*

[42]*Ibid.*, 192.

[43]This was the opinion of the Mexican Border Commission of 1873 (pp. 191 and 193), as well as of Olmsted, *Journey Through Texas*, 333.

[44]Mexican Border Commission of 1873, *Report*, 193; Brown, *History of Texas*, II, 370-371.

The defeat of Callahan caused surprise and indignation in San Antonio. A public meeting was held, committees and officers were chosen, and preparations were made for what was designed to be a larger expedition against Mexico. On October 16 the following call was made through the San Antonio *Sentinel:*[45]

To The People of Texas.

At a meeting of the citizens of Bexar county, the undersigned were appointed a committee to appeal to you to take this matter into your own hands, as the Federal and State governments have been appealed to in vain. Your fellow-citizens have been cruelly and shamefully murdered almost within view of the capitol of your State and the headquarters of the army of the United States. Your women have been violated and your children carried into captivity. Frontier settlements have been broken up and their property carried into Mexico. Mexico has violated the letter and spirit of our treaties with her, by aiding and abetting the Indians in their robberies, harboring them within her borders, and fighting their battles when pursued to their camps. Texans, to the rescue and let no repose be taken until victory, complete and triumphant, shall be ours. On the Cibola near the mouth of the Santa Clara, will be the point of rendezvous, and the fifteenth day of November is designated as the day when the expedition will move.

Respectfully,

Wm. E. Jones
J. H. Callahan
J. A. Wilcox
Jno. Sutherland
Asa Mitchell
S. A. Maverick

Commenting upon the affair, the *Sentinel* said that although Callahan's position might be considered "a somewhat peculiar one, and one out of which serious difficulties may arise," it should be remembered that there was at that time no government in Mexico.[46]

With only this evidence before him the investigator is left to speculate as to what may have been the ultimate designs of the expedition. Nothing, however, came of it. The circumstances attending Callahan's defeat became known in San Antonio, and probably tended to cool the ardor of the Texans. The Governor of Nuevo León kept the central government of Mexico informed

[45]Quoted in Olmsted, *op. cit.*, 506-507.
[46]*Ibid.*

as to their movements, and the hostile attitude of the Washington government soon brought the attempt to an end.[47]

The Cart War.—The slavery difficulty continued very serious and, along with it, hatred for the lower class of Mexicans in Texas increased. A runaway slave whom Olmstead interviewed during his trip to Piedras Negras in 1856 informed him that he knew of forty who had made their escape to that section within the last few months, while a great many more crossed over at places farther down the river.[48] A gang of them were found a few days walk from Eagle Pass by the same traveler. The magnitude of their losses led the planters of central and western Texas to consider propositions for putting an effectual stop to the evil.[49]

For some time bitterness between the Texans and Mexicans had been rife. In 1853 about twenty Mexican families had been driven from Austin on the charge that they were horse-thieves. Two years later they had been expelled from Seguin. Now they began to be accused of fraternizing with the slaves and aiding and abetting their escape, and consequently had directed at them all the ire of the slave-holding class. Thus it was that in September, 1856, when a slave plot was discovered in Columbus, Colorado county, the Mexicans were arrested and ordered to leave. At about the same time, likewise, they were driven out of Matagorda county,[50] while, during the course of the next year residents of Uvalde county passed resolutions preventing Mexicans from traveling through the country without passports, and parties of Mexicans were driven out of San Antonio.[51]

It was in the region south of San Antonio, however, that the most severe treatment was reserved for the Mexican population. An apparently peaceful company of them had settled near the San Antonio river, where they soon found that the Texans had two strong grievances against them: they were supposed to be the rendezvous of runaway slaves, and with their carts and oxen they were able to underbid the Texan teamsters in the carrying of trade between the coast and the inland towns. The latter soon formed a

[47]Mexican Border Commission of 1873, *Report*, 194; Bolton, *op. cit.*, 230.
[48]Olmsted, *op. cit.*, 323 *et seq.*
[49]*Ibid.*
[50]*Ibid.*, 164.
[51]Mexican Border Commission of 1873, *Report*, 129-131, note.

secret organization, and bands of masked men began to waylay the cart-drivers, killing them and plundering their cargoes. So widespread did their operations become that the commander of the United States forces in Texas had to protect his supply trains with a military escort. As their organization grew in efficiency, they ceased to confine their outrages to Mexicans alone and began a series of wholesale robberies.

On October 14 and 19, respectively, the Mexican Legation at Washington addressed the United States government in regard to the matter and stated that seventy-five Mexicans had been made victims already. On November 11 the State Department of the United States communicated with Governor Pease, who straightway began an investigation and recommended that the State Legislature take some action. This body being slow to move, the Governor seems to have called into service upon his own initiative a company of volunteers. By this time, moreover, the citizens of the disturbed section who had been suffering from the indiscriminate robberies of the secret bands began to put the lynch law into operation and the disorders were soon squelched.[52]

The Raid of Cortina.—By far the most serious difficulty of the period probably began in a private feud, but in its larger development, it was the result of the bitterness between the Anglo-Saxon population and the Mexican settlers in Texas. In a negative way, it was fostered by the absence of United States troops on the lower Rio Grande. In 1858 and 1859, the Indian depredations had become very serious, and in order to meet the exigency, the soldiers were removed from Fort Brown, Ringgold Barracks, and Fort McIntosh to fight the savages in the northwestern portion of the State.[53]

What was known at the time as the Cortina Raid was led by Juan Nepomucino Cortina, a chieftain of Mexican extraction, but of uncertain citizenship.[54] A native of Camargo, he was old

[52]*Ibid.;* Bancroft, *History of the North Mexican States and Texas,* II, 416-419; Linn, *Reminiscences of Fifty Years in Texas* (New York, 1883), 352-354.

[53]*House Ex. Doc.* 52, 36th Cong., 1st Sess., 5, 7.

[54]His proclamations are signed *Cortina or Cortinas,* indifferently. In regard to the question of his citizenship, see Mexican Border Commission of 1873, *Report,* 134-136; *House Ex. Doc.* 52, 36th Cong., 1st Sess., 70-72, 74-76.

enough to fight in the army of Arista during the war between the United States and Mexico. After the treaty of 1848, he moved with his mother and brother to their ranch a few miles above Brownsville, Texas. Here he seems soon to have earned the reputation of a lawless, dangerous man. Though uneducated and not very attractive personally, he had great influence among the large Mexican population of the section. Because of his value as a political asset, and on account of the constant presence of a band of armed desperadoes ready to do his bidding, he managed to escape the majesty of the law.

At length, in July, 1859, while he and a company of his armed friends were in Brownsville, the city marshal arrested a former servant of his, whereupon Cortina shot and wounded that official, and then, taking the prisoner up behind him, rode away bidding defiance to the authorities.[55] Soon afterwards he crossed the river and entered Matamoras where he is said to have been lauded as the defender of Mexican rights.

On September 28, 1859, he re-entered Brownsville, having with him this time a body of mounted men variously estimated at from forty to eighty in number, and soon had the entire population at his mercy. Taking up his quarters at the deserted barracks of Fort Brown, he and his party went through the streets in search of their enemies. They killed the jailor, broke open the jail, liberated the prisoners, and murdered in all some four or five persons. Indeed, Cortina threatened to kill all the Americans in the place,[56] and might have carried out his threat had it not been for the timely intervention of the Mexican consul and another influential Mexican friend, who at length persuaded him and his band to withdraw.

After leaving Brownsville he took up his quarters at his mother's ranch, where he received various mediators and finally agreed to cross over with his property and friends to Mexico. Previous to to taking this step, however, he robbed the United States mail, threatened to burn Brownsville, and issued a proclamation setting forth his reasons for invading the town, posing as the champion

[55]Cortina claimed that the marshal was abusing the prisoners. *House Ex. Doc.* 53, 36th Cong., 1st Sess., 64-68, 70-72.

[56]The American population probably did not amount to more than 150 or 200. *House Ex. Doc.*, 36th Cong., 1st Sess., 34-43.

of Mexican rights in Texas, expressing the hope that the authorities of the State would save him the trouble of punishing the base men who had wronged his fellows, and claiming to be a Texas citizen.[57]

For several days after the events of September, Cortina remained at Matamoras in comparative quiet, but arrest of Cabrera, one of the officers of his band, by a posse of Brownsville citizens on October 12 again aroused him. When Cortina heard of the apprehension of his officer, he told some of the influential men of Matamoras that he would lay Brownsville in ashes, if he was not released. A citizen was sent over to the American side to persuade the people of Brownsville to comply with Cortina's request. When this was flatly refused.,[58] Cortina and his men recrossed the river, took up their quarters once more at his mother's ranch, and began preparations for vengeance.

Meanwhile an expedition was preparing to drive them out of their rendezvous. At the time of his first invasion a company of Mexican national guards had been called over by the people of Brownsville, and they were now invited to return. In conjunction with about twenty Americans and forty Texas Mexicans they made an attempt to storm Cortina's stronghold, but were repulsed leaving two pieces of artillery in the hands of the enemy. This triumph emboldened Cortina and brought new volunteers into his camp. He now began not only to levy contributions of arms and supplies, but also to conscript recruits from the neighboring ranches, while he kept himself informed as to movements against him by intercepting the mails. On November 10, Texas Rangers under Captain Tobin arrived, and soon began to harass him; but they either met with defeat, or being divided as to what policy they should pursue, withdrew without a battle.

All of this of course only served to increase Cortina's fame. A party of forty joined him from Nueva León, and another consisting of sixty convicts from Victoria, Tamaulipas, followed, so that

[57]*House Ex. Doc.* 52, 36th Cong., 1st Sess., 70-72. Cortina declared that certain land-greedy individuals and lawyers had formed a clique to deprive the Mexicans of their lands and to force them to leave the country. The Mexican Commission of 1873 also made much of this point (*Report*, 129 et seq.), but the Texans bitterly denied it, citing as proof to the contrary numerous legal cases. *House Ex. Doc.* 343, 44th Cong., 1st Sess., 43.

[58]On November 10, Cabrera was hanged by a mob.

he soon had an army of several hundred. Hoisting the Mexican flag over his quarters, he published another proclamation, more verbose and drastic than that of September 30, in which he denounced in bitter terms the Americans of Texas, set forth a program for the redemptions of the Mexicans in that State, and declared himself the divinely appointed agent to break the chains of his enslaved compatriots.[59]

But at last the slow moving Federal authorities began to take some action. Immediately after the first invasion of Brownsville the collector of Brazos de Santiago had given notice to Twiggs, commander of the United States forces in Texas.[60] Upon receipt of this letter the latter had given orders for the dispatch of two companies of infantry, one to the junction of the Leona and the Frio rivers, and one to the Rio Grande below Fort Duncan, while he sent a company of artillery and one of cavalry to scout between Forts Duncan and Clark.[61] When news of the raid reached Washington the immediate reoccupation of Fort Brown was ordered.[62] It was not however until the latter part of November that these forces reached Brownsville; and Major Heintzelman who was to have charge did not arrive with his command until December 5.[63]

Finally, on December 14, Major Heintzelman with 165 regulars and 120 rangers advanced upon Cortina's position. The latter retreated northward avoiding a serious engagement until December 27, when his forces were overtaken and routed near Rio Grande City. Cortina fled into Mexico, leaving his "guns, ammunition and baggage carts, provisions, and everything he could throw away to lighten his flight." He had about sixty killed and drowned in the river, the rest escaping into Mexico without their arms. Cortina afterwards moved down the river collecting the remnants of his scattered forces and eventually establishing his camp at La Bolza on the Mexican side about thirty-five miles above Brownsville with the intention of capturing the American steamboat *Ranchero* on its way down the river.

On February 4, 1860, he apparently attempted to seize this

[59]*House Ex. Doc.* 52, 36th Cong., 1st Sess., 79-82.

[60]*Senate Ex. Doc.* 2, 36th Cong., 1st Sess., 378-379.

[61]*Ibid.*, 378.

[62]Adjutant General to Twiggs, October 25, 1859. *House Ex. Doc.*, 36th Cong., 1st Sess., 36.

[63]*Ibid.*, 64; *House Ex. Doc.* 81, 36th Cong., 1st Sess., 7.

vessel, but a party of Texas Rangers who were in readiness crossed over to the Mexican side and administered a sound defeat.[64] Cortina then set up at La Mesa ranch, but once more the Rangers, this time accompanied by a company of regulars, entered Mexico and forced him to flee.[65]

By this time Colonel Robert E. Lee who had been chosen for his superior fitness took charge of the Eighth Military Department (Texas). He was instructed to demand that the Mexican authorities break up the bands of Cortina, and, in case they failed to accomplish this plain duty, to cross into Mexico and disperse them with the forces under his command.[66] Lee immediately entered into communication with the Mexican authorities, making known to them his instructions, and these vigorous measures soon accomplished their object. In 1860, Cortina was forced to seek a hiding in the Burgos mountains some forty miles from the frontier.[67]

In reporting the total results of the Cortina raid Heintzelman said,

"The whole country from Brownsville to Rio Grande City, one hundred and twenty miles and back to the Arroyo Colorado, has been laid waste. There is not an American [left], or any property belonging to an American that could be destroyed in this large tract of land. . . .

"Rio Grande City is almost depopulated, and there is but one Mexican family in Edinburgh. On the road this side I met [sic] but two ranches occupied, and those by Mexicans. The jacales and

[64]Up to this point the writer has followed in the main Heintzelman's report to Lee, March 1, 1860, in *House Ex. Doc.* 81, 36th Cong., 1st Sess., 2-14.

[65]*House Ex. Doc.* 81, 36th Cong., 1st Sess., 80-99.

[66]*Ibid.*, 84-84, 100-104, 133-134.

[67]Mexican Border Commission of 1873, *Report* 21, 143.

In 1861, Cortina returned and burned Roma, Texas. He then retired to the interior and fought against the French, being present at the siege of Puebla. The fall of 1863 found him again on the northern frontier, where, as Acting Governor of Tamaulipas, he vacillated between the Federals and Confederates of the United States and the Imperialists and Constitutionalists of Mexico. Here he remained until 1867 when he again proceeded to the interior. In 1871 he was once more made Acting Governor of Tamaulipas, but in 1875 he was arrested for disobedience and imprisoned. Two years later he returned to his old haunt in Tamaulipas only to be re-arrested shortly afterwards. His subsequent career has not been ascertained. Thrall, *Pictorial History of Texas* (St. Louis, 1879), 528-529; Mexican Border Commission of 1873, *Report*, 148-153; *House Ex. Doc.* 1, 44th Cong., 1st Sess., part I, 946; *Of. Rec.*, index to Series 1, Vols. I, XXVI, XXXIV, XLVIII and LIII.

fences are generally burned. The actual loss in property can give but a faint idea of the amount of the damage. The cattle that were not carried off are scattered in the chapparal, and will soon be wild and lost to their owners. Business as far up as Lerido [Laredo], two hundred and forty miles, has been interrupted and suspended for five months. It is now too late to think of preparing for a crop and the whole season will be lost.

"The amount of claims for damages presented is three hundred and thirty-six thousand eight hundred and twenty-six dollars and twenty-one cents; many of them are exaggerations, but then there are few Mexicans who have put in any.

There have been fifteen Americans and eighty friendly Mexicans killed. Cortinas has lost one hundred and fifty-one men killed; of the wounded I have no account."[68]

It is probable, as suggested by Heintzelman, that the amount of Cortina's depredations was exaggerated. This view of the case is borne out by statements of Appraiser General Reyburn[69] and of Colonel Harvey Brown,[70] while a report of Lee's indicates that Cortina's forces had been assisted in their depredations. In the spring of 1860, just after having passed over the region from Rio Grande City to Brownsville, Lee wrote that most of the ranchos on the Texas side had been abandoned or destroyed, but added: "Those spared by Cortinas have been burned by the Texans."[71]

Indeed the whole affair gave occasion to many wild rumors and false reports. Some three or four examples will serve to illustrate their general character. On November 6, it was said that the "entire Mexican population on both sides of the Rio Grande are up in arms with the purpose of murdering all the American population and reconquering the country as far as the Colorado river."[72] On the following day, Hale of New Orleans wrote Secretary of War, Floyd, that the reactionary forces of Mexico were quietly concentrating in the north with the view of consolidating

[68]Heintzelman to Lee, March 1, 1860. *House Ex. Doc.* 81, 36th Cong., 1st Sess., 13.

[69]Reyburn to Hatch, November 21, 1859. *House Ex. Doc.* 52, 36th Cong., 1st Sess., 64-68.

[70]Brown to Adjutant General, March 26, 1860. *Ibid.*, 146-147, and see also *Ibid.*, 136-137. Only two or three claims arising from these depredations were submitted to the claims convention of 1868. *Senate Ex. Doc.* 31, 44th Cong., 2d Sess.

[71]Lee to Adjutant General, April 11, 1860. *House Ex. Doc.* 81, 36th Cong., 1st Sess., 83-84.

[72]*House Ex. Doc.* 52, 36th Cong., 1st Sess., 49-50.

the nation by a quarrel with the United States.[73] On the 12th Twiggs telegraphed Floyd what he considered reliable information that Brownsville had been burnt and one hundred Americans murdered, and that Cortina with eight hundred men and supported by the "priest party" of Mexico was on his way to Nueces.[74] Two days later he reported that the best informed persons in the country believed that Cortinas was a tool of the Miramon party, that men were joining him "daily and hourly," and that Carvajal with five hundred men was opposite Rio Grande City in readiness to take any side in the affair.[75]

Along with these rumors was the charge that the Mexican authorities of Tamaulipas were not cooperating with the United States officials in breaking up the gangs of Cortina.[76] The fact that he found sympathizers and obtained recruits in Mexico may have given some color to the charge, but all the evidence goes to show that these authorities lent such aid as they could. As has been mentioned, the national guards of Matamoras gave succor to Brownsville upon two occasions. Both the State government of Tamaulipas and the national government of Mexico not only approved the action of these troops, but instructed the military commander of the line of the Bravo to prevent the followers of Cortina from crossing, and to pursue and punish them in concert with the forces of the United States. Twice the American regulars and the Texas Rangers crossed over into Mexican territory in pursuit, and no protest was made against the act itself, though their violence to Mexican property and their firing upon a troop of Mexican soldiers were resented. Moreover, García, the Mexican commander of the line of the Bravo, once informed the United States troops as to Cortina's whereabouts; and apparently it was the *gefe politico* of Matamoras who drove this chieftain to the Burgos mountains in June, 1860.[77]

Whether the rumors regarding the raid of Cortina were more extravagant than might naturally be expected under such circum-

[73]*Ibid.*, 43.

[74]*Ibid.*, 56.

[75]*Ibid.*

[76]*Ibid.*, 49; *House Ex. Doc.* 81, 36th Cong., 1st Sess., 5, 40.

[77]On the whole subject of the cooperation of the Mexican officials and military forces, see Mexican Border Commission of 1873, *Report*, 137-145; *House Ex. Doc.* 81, 36th Cong., 1st Sess., 5, 11, 80-105.

stances is rather difficult to say. By some it was thought that the Texans deliberately fomented trouble and spread abroad exaggerated reports in the hope that an excuse for seizing a portion of northern Mexico might be presented. It will be remembered that in his annual message of 1858 President Buchanan had recommended to Congress the occupation of a portion of Sonora and Chihuahua, giving as his reason the unsettled conditions on the frontier of those States and the outrages committed upon American citizens in Mexico. Might it not be wise to include also the right bank of the Rio Grande? General Twiggs reported his opinion that such a step was necessary to the preservation of order and the protection of the Texas frontier.[78] Angel Navarro, one of the Commissioners sent by the Governor of Texas to investigate the border troubles, declared that such a step was advisable and would meet with little objection on the part of the Mexicans of that section.[79] Finally, Governor Houston, who had been angered by the criticisms of the attitude of the Texans, sent the Secretary of War a dispatch in which he defended himself and his constituents, while, at the same time, he admitted that since 1857 he had been urged by many individuals from all parts of the United States to occupy a portion of Mexico. To these overtures he declared he had made no favorable response, but had waited in the hope that the United States might take some action.[80]

Buchanan seems to have disapproved the action of Houston in regard to the Cortina raid.[81] At any rate, concentration of a large number of troops on the southwestern border was avoided,[82] until these frontier vexations as well as the Mexican difficulties in general, were in a measure lost sight of in the larger troubles of the Civil War.

[78]Twiggs to Adjutant General, November 28, 1859. *House Ex. Doc.* 52, 36th Cong., 1st Sess., 73-74.

[79]*Ibid.*, 117-118.

[80]*Ibid.*, 140-142.

[81]*Ibid.*

[82]*Ibid.*, 54, 60-63, 98.

THE SOMERVELL EXPEDITION TO THE RIO GRANDE, 1842*

STERLING BROWN HENDRICKS[1]

Introduction

The circumstances that prompted the fitting out of this campaign to the Rio Grande are briefly told in the narrative of S. B. Hendricks. The orders under which General Somervell acted are as follows:

Executive Department,[2]
Washington, 3rd October, 1842.

To Brigadier Gen. A. Somervell:

Sir:—Your official communication from San Felipe under date of 29th ultimo, reached me late last night. I seize the first moment to communicate my orders.

You will proceed to the most eligible point on the South Western frontier of Texas, and concentrate with the force now under your command, all troops who may submit to your orders, and if you can advance with a prospect of success into the enemy's territory, you will do so forthwith. You are at liberty to take one or two pieces of ordnance now at Gonzales. For my own part, I have but little

*The Introduction and editorial notes in this paper are the work of Mr. E. W. Winkler.

[1]Sterling Brown Hendricks was born near Courtland, Alabama, July 21, 1821. He grew up in Mississippi. Studied law under Samuel Marsh. Soon after obtaining his license to practice he emigrated to Texas, locating at Washington on the Brazos in January, 1841. In the fall of 1842 he participated in the Somervell Expedition, and immediately upon its termination wrote the account of the Expedition printed herewith. Meanwhile his family had removed from Mississippi to Bowie county, Texas. Therefore he, too, removed to that portion of the Republic, taught school for several years, and then engaged in merchandising in Harrison county. He represented Harrison and Panola counties in the Ninth Legislature, and after the expiration of his term of service entered the Confederate service as captain of a company from Harrison county. This company became a part of the Seventeenth Texas Regiment. At the organization of the Regiment he was elected lieutenant-colonel. While commanding the Seventeenth Consolidated Regiment in Louisiana, Governor Murrah appointed him financial agent of the State penitentiary. After the war, he returned to Harrison county, and engaged in merchandising and farming. He died December 11, 1909. Mr. Hendricks was a prominent Mason, a zealous Presbyterian, and citizen of more than ordinary ability.

The original manuscript of this narrative of the Somervell Expedition was recently presented to the Texas State Historical Association by Hon. Thomas B. Buckner, Judge of the Circuit Court, Kansas City, Missouri.

[2]*Appendix to the Journals of the House of Representatives, Seventh Congress*, 3-4.

confidence in cannon on a march; they will do on a retreat, where the forces are nearly equal, but they embarrass the advance of an army; and if pressed hard on a retreat, the great aversion that troops have to leave their artillery, may induce delay, and embarrass all the movements of the army. Our greatest reliance will be upon light troops, and the celerity of our movements. Hence the necessity of discipline and subordination. You will therefore receive no troops into service, but such as will be subordinate to your orders and the rules of war.

You will receive no troops into your command but such as will march across the Rio Grande under your orders if required by you to do so. If you cross the Rio Grande you must suffer no surprise, but be always on the alert. Let your arms be inspected night and morning, and your scouts always on the lookout.

You will be controlled by the rules of the most civilized warfare, and you will find the advantage of exercising great humanity towards the common people. In battle let the enemy feel the fierceness of just resentment and retribution.

The orders of the government of the 15th ult. having been disregarded by those who have gone to Bexar, in never having reported or communicated with the Department of War, the Executive will not recognize their conduct, and you alone will be held responsible to the government, and sustained by its resources, you will report as often as possible your operations.

You may rely upon the gallant Hays and his companions; and I desire that you should obtain his services and cooperation, and assure him and all the brave and subordinate men in the field, that the hopes of the country and the confidence of the Executive point to them as objects of constant solicitude. Insubordination and a disregard of command will bring ruin and disgrace upon our arms. God speed you.

I have the honor to be your obedient servant,

Sam Houston.

An important sidelight is cast upon this order by the following excerpt from instructions from Secretary of State Jones to the Texan Chargé d'Affaires Van Zandt at Washington:

The present policy of the government towards Mexico is to stand on the defensive. This policy has been strictly pursued as far as practicable, and will be continued. Texas has not the means necessary to carry on offensive operations against her enemy. The late Campaign under Gen. Somervell was not projected or recommended by the President. It was merely *sanctioned* to satisfy popular clamor, and as the volunteers under him wished to cross the Rio Grande and were determined to do so right or wrong to

clothe the expedition with legal authority that in case it was unfortunate, and our citizens should fall into the power of Mexico they could not be regarded or treated by the authorities of that Government otherwise than lawful belligerents acting under sanction of their own Government.[3]

The Secretary of State spreads the protecting aegis of his government a little too generously or else he was ignorant of President Houston's letter to Charles Elliot, British chargé d'affaires, dated January 24, 1843. Referring to the men who had refused to return with Somervell and who were made prisoners at Mier, President Houston said: "It is true that the Men went without orders; And so far as that was concerned the Government of Texas was not responsible, and the Men thereby placed themselves out of the protection of the rules of War."[4]

The incidents of the Somervell Expedition to and from the Rio Grande are narrated in greater detail by S. B. Hendricks in the account printed below than by any other writer known to the editor. Green (*Mier Expedition*), Stapp (*Prisoners of Perote*), and Big Foot Wallace (*Adventures*) were members of the expedition till December 19, 1842, when they quit Somervell to follow Fisher. John Henry Brown (*History of Texas*), Memucan Hunt (in *Telegraph and Texas Register,* January 18, 1843), and Hendricks returned with Somervell. Somervell made a brief report, undated, to the secretary of war, which is printed in the *Telegraph and Texas Register,* February 22, 1843.

HENDRICKS' NARRATIVE

Immediately after the irruption of a Mexican force into our country in the fall of '42, under the command of General Adrian Woll, many volunteers in compliance with government orders, repaired to the scene of action, but were doomed to disappointment in not meeting and chastising their insolent foes. This was the second time in the same year that a Mexican force had debouched upon our western frontier, killing and carrying off as prisoners

[3]Anson Jones to Isaac Van Zandt, February 16, 1843. *Diplomatic Correspondence of the Republic of Texas,* II, 127. The italics appear in the original.

[4]Extract of a letter from General Houston to Captain Elliot marked "Private" and dated at Washington, January 24, 1843, in Adams, *British diplomatic correspondence concerning the Republic of Texas—1838-1846,* p. 213.

some of our most valuable citizens, and throwing the country into confusion from its borders on one side to the other.

Therefore, it was thought indispensably necessary that the audaucity of our enemies should be chastised and the evils of war multiplied on their own heads. To this end a day was appointed by General Edward Burleson and others who first engaged in the pursuit of Woll for the assemblage of troops at San Antonio de Bexar for an expedition to the Rio Grande. This day was the 25th of October, 1842. Many of those that first turned out, now returned home for the purpose (as they said) of equipping themselves for the coming campaign, but many in reality never again returned. The company of Capt. Saml. Bogart, though not one of the first, from distance and other opposing circumstances, to appear in the field, arrived there shortly after the most exciting events had transpired, but not in time to render any effectual service.[5] It was instantly resolved by this company to await the time appointed for the assemblage of troops, and be in readiness (although they were only prepared for a fall campaign) to march for the Rio Grande. In this resolution they were not influenced by a single motive of self interest, but by a sincere desire for the good of their country, and they really hoped and expected that government would take in hand and encourage the expedition in contemplation. For eight long weeks they waited for the concentration of troops and orders from government. It never was the intention of this company to go on the expedition save under government authority, and otherwise they never would have gone. During the eight weeks above mentioned, it required all the influence the officers of the company could wield to keep the men together and military discipline established. This was effected, however, and many others that arrived became members of and adhered to the company, so that when General Somervell arrived at San Antonio, Captain Bogart had near sixty men under his command. During the time above alluded to, there were repeated rumors afloat that the Mexicans were coming, and it was not even known that Woll was beyond the Nueces. Not a spy had been sent out to ascertain the state of things beyond Bexar, and a force could

[5]General Woll entered San Antonio, September 11, 1842, was defeated by the Texans on the Salado on the 18th, and began his retreat about the 20th (THE QUARTERLY, XIII, 292).

have come unexpectedly upon us at any moment. Captain Bogart went to and requested of Captain Hays a guide to accompany some eight or ten of his men to the Nueces, but a guide not being furnished him he sent his men alone. They went on Woll's route as far as the Nueces, and on their return reported the Mexicans as having entirely disappeared. From this time spies were kept out at a proper distance so as to give timely information of any advance the enemy might make.

Towards the close of October the troops ordered out by government began to make their appearance and everything gave promise of the expedition's going on. General [Alexander] Somervell shortly after [November 4] made his arrival at Bexar with Adjutant General [John] Hemphill, and steps were taken for the organization of the troops and putting everything in order. These steps, however, were tardily taken and but little or no promptness or energy was manifested on the part of the Commander in Chief. Some ten days or two weeks were spent in organizing two regiments when it might have been done in three days. At one time there were not less than twelve hundred men ready for the march had General Somervell ordered it, and they would have been joined by others, but they spent days in doing what might have been done in hours and suffered numerous squads and companies to leave and return home without permission or the slightest molestation. This example caught like wild fire, infusing itself more or less throughout camp, and every one who wished to leave felt himself at perfect liberty to do so. It proved the bane of all our operations and gave a death blow to our most sanguine hopes.

General Somervell's plan for the organization was as follows,—It seems that he was instructed by the executive to appoint Captain Hays to the command of the spy company, and at Captain Hays' request, Captain Bogart was detached with his company to cooperate and act in concert with him. These two therefore were placed in front as the two spy companies, with a positive understanding on that subject, which it will be found was most unjustly violated by the commanding officer. At the time the two companies united, Captain Bogart had about sixty men under his command and Captain Hays only eighteen. The men under Captain Bogart were anxious that their own officer should command, but inasmuch as Captain Hays had seniority of commission, they

finally agreed to march under his orders, provided certain conditions were observed, to wit: That whenever he went forward on any excursion, he was to take an equal portion of men from Captain Bogart's company in proportion to the number that he did from his own; and in his absence the two companies were to be under the command of Captain Bogart. This last condition however is nothing but military law, and yet it was not observed by General Somervell. Had Captain Bogart gone into the organization, as his friends wished him to do, he had as fair or fairer a prospect for the command of the Washington regiment than any other man in the field. Yet when urged on that subject to do so, he stated that he believed the expedition's going on would be much more sure if he did not become a candidate; that even if he was elected, strife and ill feeling would probably exist among some of the aspirants to office, and that he came out not as a seeker of office but to advance the interest of his country by all proper and laudable means. To this end his object was to harmonize all things, so as to secure the success of the expedition, even if he attained it at sacrifice of personal interest. These were the motives by which he was influenced, and in accordance with them he acted.[6]

The next step taken by General Somervell was the organization of two regiments. Colonel James R. Cook was elected to the command of one, and Colonel Joseph L. Bennett took command of the other. The subordinate offices were filled and it only seemed necessary to immediately take up the line of march. Notwithstanding all this, however, day after day elapsed, without any ostensible cause for delay and nothing was done. There was a sufficiency of provisions at San Antonio, which could in a short time have been prepared and furnished the troops for their march, yet General Somervell suffered this aupicious time to pass off without any movement whatever. After loitering about San An-

[6]Samuel Bogart was born in Carter county, Tennessee, April 2, 1797. He participated in the Battle of New Orleans, January 8, 1815. In 1818 he married and emigrated to Illinois; there he served in the Black Hawk War in 1832. The next year he removed to Missouri, and took an active part in expelling the Mormons from that State. In 1839 he emigrated to Texas, settled in Washington county, and commanded a company in the Somervell Expedition. He moved to North Texas in 1845, and played an important part in the development of that section; was elected to the Legislature in 1847, 1849, 1851 and 1859. He also held various positions of honor in the Democratic party during the years 1848 to 1857. He died March 11, 1861.

tonio for some time, however, we received an order to march as far as the nearest point on the Medina, on the Presidio route, and there wait further orders. This the men with alacrity obeyed [November 13], but were doomed to remain fully a week inactive at that point. General Somervell pretended to be waiting the arrival of one piece of artillery from Gonzales, which at length arrived, and then, after waiting ten days or two weeks for it, it was left behind. This was the course things took with us at the start, and such conduct broke the spirit of the troops, and discouraged alike the officers and the men. It was probably well, however, that the cannon was left from the fact that we never could have carried it with us, or if we had, could never have brought it back on the route we came. But waiting for and then leaving it was reprehensible in the highest degree.

At the Medina, General Somervell for the first time joined us, having prior thereto taken up his quarters in San Antonio. We now had orders to move down the country, some thirty or forty miles so as to intersect the Laredo road at or near a large mound about thirty miles from where the lower Rio Grande road crosses the Medina. On the second night after taking up the line of march, we encamped on a stream called the Tuscosa, opposite an old ranch. Up to this time we had had pleasant weather, but the night we remained here a heavy rain fell, which proved peculiarly disastrous to us. The next day was cold, wet and gloomy, and in our route we encountered a terrible bog which lasted for many miles. We were unable to ride, and many of our horses were lost and left behind. This circumstance was the death of our horses at the start, and rendered them utterly unfit for any active service at a subsequent time.[7] Whether General Somervell is to be blamed with this is not for me to say, but it is said that by going down the Tuscosa for eight miles below our encampment, we could have struck the Laredo road without traveling over any bad or boggy ground. Captain Hays, however, was the pilot and between him and General Somervell lies the blame! After toiling and dragging through this bog for two or three days, we at length struck the

[7]"The horses were so materially injured by their exertions to pass through this continuous deep and tenacious mass that they were ever afterwards unable, throughout the campaign, to make those quick marches essential to the accomplishment of the object of the compaign."—Somervell's report to the Secretary of War.

Laredo road at the mound above mentioned, and after going on for five or six miles, encamped on a small stream for the night. Here an unpleasant collision in feeling took place between the companies of Captains Hays and Bogart, which arose from the latter officer's ordering, as he had a right to do, Lieutenant McLain [Eph. M. McLean, 2d lieutenant] of Captain Hays' command, in the absence of Captain Hays, to encamp with his company on a certain piece of ground allotted for that purpose. This order Lieutenant McLain refused to obey, and some of his men even used rude and insulting language to Captain Bogart. Towards nightfall General Somervell made his appearance on the ground, and requested Captain Bogart to call down at the camp of Captain Hays, who had by this time arrived, and have some understanding of the matter in dispute. Accordingly immediately after supper Captain Bogart, accompanied by two of his officers of which I was one, repaired to the camp of Captain Hays, hoping that the affair would be properly adjusted. No sooner, however, had the General introduced the subject to be considered, than a number of Captain Hays' men crowded around, interrupted the course of conversation, and repeatedly and rudely insulted Captain Bogart even in the presence of the commanding officer. This conduct was not restrained by General Somervell nor did he manifest any disposition to treat Captain Bogart with even so much as the common civility due from man to man,—and all this without the slightest cause or any provocation whatever. The agreement entered into between Captains Hays and Bogart was recollected as was the General's promise by Colonel Wm. G. Cooke and others, and it was also known that it was but in accordance with military law and usage. Notwithstanding all this, his own solemn promise and the dictates of justice to the contrary, General Somervell, the next morning [November 30], acknowledging however that Captain Bogart had been guilty of no wrong and only required what was fair and right, ordered him to march with his company as the vanguard of the army, while Captain Hays marched in front with his as the spy company,—thus assigning the highest post of honor to those who had been the first to violate every rule of order or discipline that should be established for the government of an army.

When this order was delivered to Captain Bogart his own out-

raged feelings, which had thus been made subject to every rude assault that a ruffian set could offer, and the feelings of his company caused him to disobey it. He at once mounted his horse, and forming his company marched it immediately in front and prevented all attempts on the part of Captain Hays' men to head them. It was indeed, a beautiful and inspiring sight to see some sixty men on either side (for Hays' company had received an increase of number) all noble, fine looking fellows, well mounted, and thus marshaled trying to outstrip each other for the highest post of honor. Their march was over hills and hollows, through a wide and open prairie, and as they marched they seemed like two gloomy clouds, that in opposing columns, frowning darkly at each other. The lines were kept firm and fixed, no breach of files, and no disorder. Our pace was that of a rapid walk, at times changing to a trot. After we had thus proceeded for about four miles, the commander, who had been belaboring his steed for a good while to overtake us, rode up besmeared with sweat and almost foaming with rage, and again repeated his command to Captain Bogart. Our company was then halted, while the burly General with the rather worsted company of Hays moved on. Our intention was now to quit the field and at once return home; for this purpose I was sent forward to offer General Somervell the resignations of the officers of the company and to ask discharges for the men. This the illustrious General would not consent to, but used, as he thought, many reasons why our company should not be dissatisfied with the station assigned it. The only matter now left for the decision of the company was whether or not they should at once return home. Their feelings dictated this course, but when they reflected upon the course pursued by the commanding officer, they concluded that if they did so and any misfortune befell the expedition it would be perhaps attributed to their having quit the army and thus weakened it. This reason, although the company loathed General Somervell from their hearts, induced them to march under his orders, hoping by their conduct in scenes of danger to show that they had not merited the treatment they had received. However, charges were preferred by Captain Bogart against Lieutenant McLain and Sergeant Stokes [?] of Captain Hays' command for their conduct toward him, and the General promised a court martial on the Nueces, which court martial never

took place. From this place we moved on during the day and late in the evening crossed a little stream called the San Magill [San Miguel]. And after going about a mile farther encamped for the night in a beautiful island of timber in the prairie—The main body encamped on the San Magill—Hays' company in our front. From this point we moved on next morning [December 1] and at mid-day crossed the Rio Frio. On its western bank there is a lovely little rocky mound. This night we encamped on a small stream in the prairie eight miles from the Frio,—we had feared much before night that we would find no water at all. The army lay behind—Hays in front.

The next morning [December 2] we again moved on, and at noon came to where Hays had camped the night before. The prairie had caught from their fires after they left and had burned for some distance round. This night we encamped on a small stream within two miles of the Nueces, and the country around, though open and dreary, had an interesting and pleasing cast to a somber mind. There were hills around us on every side, but eternal desolation seemed to brood and slumber upon their gloomy tops, though immediately where we camped seemed a garden spot, while all else around was but a desert. Here one of Captain Hays' men, McDaniel, stayed with us all night, having been dispatched by Hays to General Somervell with the information that he had gone on with two of his own men and two Lipans, (Flacco their chief and another) in accordance with his orders, to try and glean some information with regard to the state of things on the Mexican frontier. His company had halted on the western bank of the Nueces, waiting for the chief command. During the night we camped at this place, some of our men were alarmed by the appearance of something out of the lines after dark, which so frightened their horses that they immediately threw their riders and dashed into camp. A wolf, it was supposed, gave them the fright.

The next morning [December 3] we proceeded on our route and came to the bottom or swamp of the Nueces in about a mile, which was indeed most wretched. The mud was in many instances belly deep to our horses, and the water nearly swimming. The stream itself was greatly swollen, and although it was a cold, cloudy, and dismal day, we were under the necessity of preparing a raft and pulling our baggage over by ropes, after which we swam

our horses over and then swam across ourselves. Only one horse was lost in crossing this stream. We now proceeded on and struck camp in a few hundred yards of Hays' company, and turned our horses out on the prairie.

From the difficulty and trouble attendant on our crossing the Nueces we concluded that unless some arrangement could be made to expedite the crossing of the main army, great delay would unavoidably occur. We resolved therefore [December 4], to attempt the construction of a bridge and by felling trees across the stream and then piecing it, and throwing brush on, we managed to make a bridge, over which men, horses, and baggage could pass without difficulty or danger. In fact the crossing of the whole army did not occupy much more time than the crossing of our company did before the bridge was constructed. The plan as well as the construction of the bridge is to be attributed solely to Captain Bogart and others of his company. After the army had crossed over we remained at this place one day allowing our horses to recruit and wait for a report from Captain Hays. Late in the evening of the second day [December 5] after our stopping, however, our company received orders to march on until we should meet Captain Hays,—in obedience to which we moved on about four miles and encamped for the night, the army remaining on the Nueces.

In this part of the country, near the Nueces, both on the eastern and western banks, I for the first time beheld vast ramparts and towers of prickly pear that seemed to form walls and mountains in their terrible array. From the midst of many of these banks of prickly pear, young trees or saplings of the same nature were to be seen from twenty to thirty feet in height. The whole country had a peculiar appearance, presenting a view of boundless extent and of unbroken grandeur. Yet there was no beauty,—it was a profound and cheerless desolation. Toward the north the prairies stretched forth in broad perspective, and were only bound by the mists and shadows that would rise like clouds upon the view. Almost the only growth we saw or found was the mesquite which grew on every little stream and was our only resource for wood. During the night we camped here, the Lipans were with us, and about daylight next morning [December 6] we were surprised by one of our sentinels hailing and some one immediately after rode into our lines. This we found to be Flacco, the Lipan chief, ac-

companied by the other Indian who had gone with him. From them we learned that they had penetrated to Laredo, and that Captain Hays had succeeded in capturing two Mexican spies, one of whom was severely wounded by the Indians, and they reported that there was no Mexican force of any importance on or near the Rio Grande at Laredo. Colonel Bravo indeed, had a garrison of eighty men on the opposite side of the river from that place, but the troops of Woll were at Presidio above and those of Canales from Guerrero to Matamoras below. Hays had stopt with his men and the two prisoners about eighteen miles from us, on account of having lamed his horse in the capture of the Mexican spies. We now again marched on, and were soon overtaken by Hays' company, who informed us that the horses belonging to the army had stampeded the night before, and that the main body for that reason could not overtake us for some time. Hays' company now took its station in advance, though not out of sight of us, and we then proceeded on for some twelve miles, when we observed them in pursuit of something across the prairie, which was continued for some time, when we heard them firing ahead. When we came up we found that they had encountered some wild cattle, and had been fortunate enough to kill several. They were very fat and it was indeed a God send to us at the time. After proceeding about three miles farther, we came to a small stream of water, the first we had met with during the day, and as it was then late, cold, and raining, we concluded to encamp for the night. Hays' company proceeded on farther. When we had been here some hour or so, the main body of the army came up, and this night (excepting Hays' company) we all camped together.

Next morning [December 7] we again moved on, and in about three miles came to Hays and his company, and heard that the wounded prisoner through the carelessness of a sentinel had two nights before made his escape,—all efforts to find or overtake him had proved unavailing, and we were forced to the conclusion that he had managed by some means to get into Laredo. The sentinel was put under guard, and we again marched on, Colonel Hemphill having in the meantime delivered to the army a very nervous and eloquent address. We were now only about thirty-five miles from Laredo, and by making a forced march, at nightfall, we found ourselves within six miles of that place. When about thirteen

miles from Laredo, we had halted for a short time to recruit our horses, and prepare some food for ourselves,—however, but few fires were made for fear of the smoke. When we arrived within about four miles of Laredo, our road, which had heretofore been very rough, and rugged, began to wear plainer, and we could see Mexican cart tracks where they had been hauling wood. The road still became plainer and plainer, and about two miles from Laredo, we halted and lay upon our arms, waiting for our spies to return, who had gone out to ascertain the situation of things about town, and to report whether or not a passage of the Rio Grande were practicable.

The plan of General Somervell for capturing this important place was as follows: As we had been informed by the captured Mexicans, that Colonel Bravo with eighty men was in the garrison beyond the river, our distinguished commander concluded to send the front companies, Hays' and ours, with two others, across the river for the purpose of cutting them off. Should it be found impracticable to cross the river, Hays' company and ours were ordered, after going to the common crossing, which was below town, to march up under its eastern bank, near the margin of the water, until we should get opposite the public square, where we were to remain stationary until daylight, which was to be the signal for the whole army to enter the town—the main body having surrounded the place during the night. About three hours before day [December 8] our advance commenced, and after proceeding a short distance, we left the main road and took a route through the chapperell (the Mexican word for thicket) for the crossing of the river. During all this time we could distinctly hear the dogs barking and chickens crowing in town, and those of us who had never been on an expedition of the kind, thought that something was to be done, but were most sadly disappointed.

The whole country around Laredo is low and undulatory, with hills around at a few miles distant. The earth seems to be hollow and its surface is covered with rocks and chapperell. The hollows are concave and the pits and caverns are numerous. After we had proceeded some distance, our march was interrupted by one of the Lipans being thrown from his horse and severely wounded—his spear having entered his body. His wound was not dangerous, however, and he soon recovered. When we came near the river,

we rode into a deep cave or sink in the earth, which was within a quarter of a mile of town, and through which there ran a small stream of water, communicating with the main river at the crossing, which was immediately before us. The opening through the earth made by this stream was sufficient for us to lead our horses down it to the river, although we were some thirty feet below the common level of the earth. After we had penetrated through this subterranean passage to the river, Colonel James R. Cook, who commanded our part of the army on the occasion, made some feeble efforts to cross the river, but without anything like a fair trial, declared it to be impassable,—the next day, we saw Mexicans fording it at the same place on small poneys. It now only remained for us to obey the second part of General Somervell's order,—accordingly Hays' company and ours proceeded up the margin of the river, protected and concealed by its bank, until we came opposite the public square where we halted until day light. The other part of our force joined the main body of the army.

The banks of the Rio Grande, here and every where else, where I afterwards saw it, were steep and abrupt and looked as though the water had been wearing and washing them for many centuries. The river being low, there was a considerable distance between the abrupt rise of the bank and the stream itself, while all between was a shoaly beach, covered with sand and pebbles and, in places, with frowning rocks. We had not remained long stationary, before the faint streak of day began to gild the horizon, and we could hear the rising sounds of motion in town. From some ranches on the opposite side of the river, persons now began to come to the river for water, but they did not discover us until two women in a perogue started across. When they had got about half way, they discovered us, but it seemed to give them no alarm whatever, although they returned. The people now began to assemble on the western bank, in groups and crowds, and as it was the place of the garrison we thought it likely that they would give us a fire from their cannon, as they were reported to have two. About this time a little boy came down to the water on our side of the river, to water a mule, nor did he discover us until he had reached the water and Colonel B. L. McCullough was nearly at him.

From him we learned that there was no Mexican force in town, and that the garrison had retreated from the other side of the river.

It was now broad daylight and we at once proceeded to enter the place. There was no resistance offered, and we had hoisted our flag on one of the main steeples and had it flying for fifteen minutes, before our redoubtable General with the main force was to be seen. At last, however, he entered, and our parade, although our force was small, was by no means contemptible, for it requires but a few well mounted horsemen to make a brilliant show.

The Mexican authorities lost no time in placing the town at our disposal, and our distinguished General, after making out a requisition for our most pressing wants, marched us up the river for a mile and a half, where we halted for the purpose of nooning. We remained here some six or eight hours perhaps, refreshing ourselves, and allowing our horses to graze,—the Mexican white flags on the opposite side of the river, in every direction, flying in our faces all the time. Late in the evening we were ordered to march down the river on the same side we then were, for some four or five miles, where we were to encamp for the night. It had been expected by the whole army that at this place we would be ordered to cross the river, and the disappointment was great when they found it would not be done. This was to be attributed to General Somervell himself, and to the opposition of Colonel James R. Cook and other subordinate officers. Colonel Cook, with the assistance of his friends, wishing to oust the principal of the command and take it himself.

In our course down the river, we did not pass through Laredo, but left it a short distance to our right. Here we witnessed rather a curiosity—peach trees in bloom towards the close of the month of December. We had not proceeded more than a quarter of a mile, when from the rear the words came that the enemy were in sight on the opposite side of the river, and indeed, from the clouds of dust that were rising in that direction, it had the appearance of truth. Our army was halted and held in readiness, until we ascertained the cause of the alarm, which proved to be nothing more than some of our men returning, who had crossed the river early in the day to pick up horses—this privilege having been granted by the Mexicans. After this flurry we proceeded on our march, and an hour or two by sun in the evening encamped on a high hill, within three miles of Laredo, immediately below that place, and within a few hundred yards of the river, from the west-

ern bank of which, our position would have been exposed to a cannonade had a Mexican force engaged us. Immediately in front of our encampment was a deep hollow, through which we had passed in coming from Laredo, and on either side, but especially the northern, the rise was abrupt and steep, and the road in its passage had huge banks, bluffs, and caves on either hand, and through the hollow there ran a small stream called the Shackow. The circumjacent country was somewhat similar to that immediately around Laredo. During the first evening we remained here, we killed several beeves.

In passing through the hollow above described, one of our men was so unfortunate as to be shot dead by the accidental discharge of his own gun. He belonged to Captain Cameron's company and was buried with the honors of war. During this night the General placed out picket guards and used other precautionary measures, which were certainly not improper on the occasion. Our picket was sent in the direction of Laredo, to occupy a stand on the north side of the hollow before mentioned, and a part of said picket was placed above and below in or near the same hollow. Of this picket I had charge, and during the night, when sleeping with the men not on duty, a diabolical wolf had the audacity to run over me, as witnessed by the sentinel. I had lost some five nights sleep immediately before, and was not even waked by the circumstance. We had no alarm during the night, though our sentinel came very near firing on one of our men, who had stayed rather late in Laredo, and, in consequence was unprepared to give the countersign. Similar arrangements were made on the other side of the encampment, and Lieutenant McCullough of Captain Hays' company took command in that quarter.

The next day [December 9] we remained stationary receiving the supplies demanded by General Somervell of the Alcalde of Laredo, and the time and occasion were rendered infamous by the plundering done by some sixty of our men who visited Laredo. When the plunder was brought into camp, it is gratifying to state, that the officers almost *en masse,* moved in arrest of the proceeding, and the delinquents were forced to carry their ill gotten plunder and deposit it at one place, to be returned to its proper owners. It is but proper to state that but few men of standing in the army were guilty of this abominable act. The plunder when

deposited, made a pile the size of a good large house, and no doubt every thing that could be concealed was taken care of by these men, whose conduct was indeed, most infamous. Late in the evening of this day, we were ordered to move down the country, a council having been called in the meantime, without being able to obtain a concurrence of feeling as to crossing the river. The object of this movement is not known, but it is presumed the General's intention at that time was to return immediately home by way of San Patricio, as it was currently reported and by some believed (perhaps also by the General) that a Mexican force had marched on the upper route from Presidio and another from Matamoras below to intercept and cut us off. Our guide on this occasion had told us that he would take us to water in four miles, but we travelled until nine or ten o'clock at night, through a most terrible chapperell, before we encamped and then did so without finding water. This night we spent without either food or drink.[8]

Early next morning [December 10] we proceeded on our route, and in about five miles came to water. Here we halted and prepared our food, and in the evening after a council having been held, it was determined to leave it to a vote of the men as to whether or not we should cross the Rio Grande. In the meantime we were overtaken by Colonel [P. H.] Bell, aid de camp to General Somervell, who had been dispatched the evening before by the General, to Laredo, to inform the Alcalde that the plunder taken at that place was at his disposal. Colonel Bell had with difficulty made his escape from Laredo, the Alcalde having to escort him to the suburbs, and he informed us that the whole of the western bank of the Rio Grande was lined at that place with rancheros armed and infuriated at the conduct of our men the day before.

[8]"On the evening of the 9th, Gen. Somervell took up the line of march for home, but the dissatisfaction of a large majority of the army was so great at this unlooked for act of the commander that he was induced to change his determination on the following day, after having progressed some eight or ten miles homeward. Col. Tom Green of Fayette, who had been appointed Brigade Inspector, resigned with disgust at the conduct of the General on this occasion, and attached himself to Maj. Hays' command as a private. The whole force was then assembled by the General, and he announced his determination to proceeed with the whole or a part of the force to prosecute the campaign, provided a sufficient number would accompany him for that purpose, and that for one he was willing to proceed with very few men, understood to be 500: that any part of the troops who were desirous to return home were at liberty to do so."—Hunt's narrative in the *Telegraph*.

This proves what evils lawless ruffianism is calculated to produce, and that the rules of civilized warfare should always be observed.

When it came to submitting the question of crossing the river to the army, we were all drawn up under a hill in the open prairie, and after a short address from General Somervell, in which he stated our situation and the differences of opinion among the officers, those who were willing to adventure all upon crossing were to ascend and form on the hill, while those who wished to return home remained below. Out of seven hundred and thirty men, about two hundred and thirty were for returning—the others resolved to hazard all upon another effort, ere they would resign the hopes with which they first engaged in this enterprise. From this place we moved on for some three miles and encamped for the night on a small stream of water and the next morning [December 11] the two hundred and thirty men left us and returned home. With these men I sent home the large horse I had been riding, and mounted a smaller one,—this I did on account of the terrible nature of the route and the situation of my horse. The object of General Somervell was to march down the river on the East side until he came opposite Guerrero, the next Mexican town below Laredo, when he proposed crossing and taking the place.

The whole country where we now were, was a wilderness, covered thick with chapperell, and presenting an appearance more dismal than anything I ever beheld. The soil was sandy, and about the only timber of any size was the mesquite, which was to be found alone on the small streams of water and lakes to which we came. The water was often very brackish, and the only forage we could get for our horses was the mesquite grass, which as it was the dead of winter, was very dry and afforded them but slight sustenance.

We were four days getting from where our men who returned separated from us, to the river opposite Guerrero. In the meantime we passed several pretty lakes and every thing presented a most picturesque and strange appearance. The night before we reached the river we encamped where there was sign of fires and an old camping ground.

For some three days past, as we ranged along down the river, we could see a range of mountains beyond it, apparently some one hundred or one hundred and fifty miles from us, and now as we

approached Guerrero, they became more conspicuous and presented the appearance of magnificent churches and towering edifices in the distance. There were mountains to the left, immediately before, and to the right of us—all though, no doubt, forming one chain or series of mountains, being perhaps a detached fragment from the giant Cordilleras. At the foot of these central mountains, as seen by us, is situated the city of Monterey, said to contain a population of fourteen thousand souls.

When [December 14] we came near the river six miles from Guerrero, we discovered one or two ranches off to our right, and in a short time came to several large herds of sheep, guarded by their shepherds. These men we seized and were informed by them that there was no Mexican force at Guerrero. General Canales, as they said, having marched all the troops toward Laredo, expecting to find us in that quarter. After some little difficulty in passing through the chapperell, we came to the bank of the river, and after some parleying with some Mexicans and Indians on the opposite side, which was conducted through the shepherds we had taken, our men holding themselves back to avoid being seen, we proceeded to attempt the crossing. This was effected by swimming our horses over and transporting our persons and baggage in two perogues, which we were fortunate enough to find at the river. No sooner were we discovered from the opposite shore, than every one instantly disappeared from that side and rushed for Guerrero. From the difficulty attendant in crossing, when three hours had elapsed, only seventy-five of us had succeeded in getting over,—about forty-five of our company and thirty of Hays'. Immediately on the western side was a Mexican farm in which the corn had just been pulled down, and lay in heaps on the ground. On this corn the men at once, and very imprudently, turned their horses, leaving them to feed and take care of themselves. In front of us, and about two hundred yards from the river, rose a considerable hill, and on its top were the houses inhabited by the Mexicans and Indians before alluded to. Between the foot of this hill and the river, lay the Mexican farm, enclosed by a brush fence. The side of the hill was covered thick with bushes and underwood, and near the houses were several brush fences. There were pits, bluffs, caverns and ditches, formed by time and washing rains, in every direction on the slope of this hill. On the right and left of the road,

after reaching the top of the hill, and at a distance of twenty or twenty-five yards from the road, were two small hollows, and the houses themselves were well adapted to shelter a defending force. On top of one of these houses a sentinel had been placed, when our advance crossed the river, to observe everything that passed in the country around. The story of the Mexican shepherds had acquired general credit, and no one even anticipated the appearance of a Mexican force. General T. J. Green and Captain Bogart immediately on landing, had proceeded down the road toward Guerrero for the purpose of observation. After proceeding about a mile and a half, as they rose a hill on one side, a Mexican force advanced on the other, and they met on top. The mutual surprise, as might be supposed, was considerable, but the pause was only momentary. Green and Bogart, wheeling their horses about, came thundering down the road, with the whole Mexican squadron in pursuit, shouting *Karahho* (God damn you) with a vengeance. They had not got far when Green's horse fell down, but soon recovered and distanced the Mexicans. Green, with one hand, reached back, and drawing from his coat pocket a broad red flag, held it fluttering behind him, cursing the Mexicans as he did so.

This seemed to dampen their courage, for fearing an ambuscade, or for some other cause, they instantly came to a dead halt within about half a mile of the hill before us. At the first appearance of the dust rising from the Mexicans pursuing Green and Bogart, the sentinel on the house top had given the alarm, and after infinite difficulty from the confusion which every thing was in on the river, we managed to parade about seventy-five men, all that had then crossed, to oppose the Mexicans. Of this force forty-five were of our company, the remainder of Hays'. We had drawn up at the foot of the hill in bushes and gullies, when Bogart coming down, we marched up, at his order, and formed on the summit of the hill. Hays' men also did the same and formed immediately in the rear of us. The Mexicans, as I have said, had halted within about half a mile of us, their rear being concealed by a little knoll, which rendered it impossible for us to form any proper idea of their force. Indeed, we could not tell but what they were four thousand instead of four hundred which we afterwards found to be their real number.

At this time the sun was perhaps an hour high, and the Mexi-

cans proceeded to make the most showy and brilliant maneuvers before us, but without showing any disposition whatever to attack our position. At the first alarm our men on the east side of the river, had precipitated themselves across in every possible way,—some swimming their horses and others crossing in the boats. By nightfall, the whole force, with the exception of sixty men left to guard some of the horses, were on our side of the river. Hitherto the Mexicans had remained in front [of] us, and we now sent out pickets and took other precautionary measures to be ready for a night attack. It was proposed to General Somervell, by some, to make an attack on the Mexicans at once, because, they said, if we were not able then to contend with them we could not be so at any subsequent time. This the General declined doing for the very insufficient reason that we were not acquainted with the ground. Our men had during this whole affair, manifested the greatest desire to come in contact with the enemy, and fear seemed banished from the lines.

At daylight the next morning [December 15], the Mexicans, much to our disappointment, had totally disappeared, and not one was to be seen. In an hour or so however, the Alcalde of Guerrero, accompanied by one or two persons, presented himself at the out posts, and stated to General Somervell, that the Mexican authorities were willing to place the town at his disposal, and comply with any requisition he might make upon them, provided the place should not be pillaged. This was agreed to by the General and a moderate requisition made out, with the understanding that the supplies should be delivered, on the road one mile from Guerrero—the General having declined the idea of marching into town. During the first night we remained on the river at this place, we had both sleet and snow, but not enough to lie on the ground. We feasted on mutton, having a drove of sheep in our lines, of which we killed about one hundred and fifty.

After the Alcalde had left we proceeded to get all the men and horses over, who had not been able to cross the evening before, and as it now rained incessantly, we had not finished the transportation, and made arrangements for moving towards Guerrero until late in the evening. When we reached the place appointed for the delivery of the articles required, which was also to answer as a place for our encampment during the night, we found it to be

rather a suspicious position, having been marked out for us by Mexicans. The ground on which we stood was an inclined plain or gentle slope, perfectly barren and destitute of timber either for firewood or protection in case of attack,—only a few random bushes growing here and there. The Salado, a small river, flowed immediately in front of us, and on its bank the articles demanded of the Mexicans had been deposited. Beyond this stream and not more than two hundred yards from where we stood, and immediately in front of us, lay a range of hills, from which we could have been swept by artillery in every direction, without any possibility of our replying as the river was not fordable. Indeed, the whole position appeared so suspicious that the General declined occupying it and moved us some three hundred yards farther up the river, where we were somewhat protected by a rising knoll and numerous ravines and gullies in the ground. It had rained incessantly all the evening, and it had been dark for some time before we reached this ground. We here encamped and bivouac was most dreary. We had no chance to stretch our tents and lay upon the wet, cold ground with the rain falling upon us in torrents. The next morning [December 16] the rain still continued, and the General concluded to march us back to the river where we had crossed it. The articles delivered to us, having in the meantime been distributed. They were found to be but a shabby compliance with the requisition, consisting mostly of old, worn out things (many of the men were nearly destitute of clothing, therefore these articles had been demanded) and the one hundred horses required had not been brought in. We proceeded from this place back to the river, and immediately commenced recrossing, and by the night of the next day [December 17], the whole army, save Hays' company and ours had been transported to the opposite shore. The morning after this [December 18], as our companies came down to cross, we were hailed by Adjutant General Hemphill, who bore an order from General Somervell for our companies to move upon Guerrero, and in lieu of the one hundred horses they had promised to furnish, to demand five thousand dollars to be at once paid down. In default of their producing this sum, the General stated, in his communication to the Alcalde, that he should hold himself in readiness to march on the place with five hundred men. In compliance with this order, we immediately moved to-

ward Guerrero, but such was the danger apprehended from this step, that only thirty-five of our company, including officers, and seventeen of Hays' paraded for the Service—some indeed, were out on special duty, but many staid back through fear and cowardice. Guerrero is a place containing five thousand three hundred souls, and it did indeed, look somewhat adventurous to see fifty men boldly entering the town without any support.

However, when we made our appearance, not the slightest resistance was offered, and fear and timidity seemed to seize the whole population. General Somervell's communication was presented to the Alcalde, and he promised that every thing possible should be done to produce the amount required. In the meantime his council was summoned, by ringing the large and small bells of the cathedral, and our men were formed in open order around the inside of the public square, fronting the center,—our flag, all the time unfurled and flying in graceful beauty at the upper end of our line. We remained here waiting the conclusion of affairs for an hour and a half, our sentinels being mounted on some of the houses, from whence they could see in every direction around. Not less than four hundred Mexicans were to be seen in the place, but fear seemed to paralyze them, and they gathered about in groups like sheep. expecting to be slaughtered. They brought out corn and fed our horses for us in the public square, as only one or two of our men were permitted to leave the ranks at a time, and voluntarily brought us palonsas and cigars as a treat for the men.

After remaining here for an hour and a half, we were informed that it was impossible to raise the amount of money required by General Somervell in the place. The Mexicans said that their own armies had been quartered upon them, and had plundered them of nearly all they had. They, however, offered us seven hundred dollars, which was refused and the Alcalde, with his money, was brought with us to the river to hear the determination of General Somervell.

Guerrero is a fine looking and well constructed town, situated on the northern bank of the Salado. The houses are built of a kind of marble or stone, with flat roofs, surrounded by a wall. The streets and public squares (of which last there are two) are well laid off, and the whole place presents an appearance of ele-

gance and neatness. There is one cathedral in the place and several large public buildings. The inhabitants have fine gardens and throughout the place there are numerous groves of orange trees, that give it a most luxuriant and smiling appearance. I could not but regret that civilized people did not inhabit it. There are two strong forts in the place, and every house is a kind of fortification. Had they known how to fight, few, if any of us, would ever have returned to our friends, with thoughts and dreams of Mexico.

But to return to our story. When we reached the river and made our report to the General that chivalrous individual instantly flew into a rage, and cursing the Mexican Alcalde most unmercifully, ordered him to put back to Guerrero with his money, and never let him see or hear of him again. He did not however, think it necessary to carry out his threat of marching on the place with five hundred men, (being the amount of our whole force,) but the next morning [December 19], as we had all now recrossed the river, ordered us to take up the line of march for home, thus resolving to bring to a close this immortal expedition, which had certainly done any thing else but enhance the reputation of the General among the men. His order was for us to march so as to cross the Nueces where the Frio forms a junction with that stream, and from thence by Calvere's ranch on the San Antonio river, to Gonzales, where we were to be disbanded.[9]

When this order became public, many brave and gallant men influenced by the purest motives, refused to obey it. They had marched under the orders of General Somervell until they had become tired, and now, that he was about to return home, without having struck a single blow or effected anything to the advantage of his country, they resolved to act for themselves. This was a gallant but unfortunate determination. Could we have all stayed together! Could we have acted as though we were influenced by but one

[9]Order No. 64.

Head Quarters, Camp opposite the mouth of the Salado,
East Bank of the Rio Grande.

The troops belonging to the South-Western Army will march at 10 o'clock this morning for the junction of the Rio Frio and the Nueces, thence to Gonzales, where they will be disbanded.

By order of Brigadier General Somervell, commanding the South-Western Army.

John Hemphill,
Act'g Adj't Gen'l.

Soul! and above all, Could we have had a bold energetic and enterprising officer for our chief, what could we not have effected! But we had all despaired of this, and as we had now been eleven days on the Rio Grande, with a force deminished, discordant, and weak, we thought that prudence required our return. Two hundred of us returned with General Somervell, the others, three hundred in number, marched down the river under the command of Colonel Wm. S. Fisher, and General Thos. J. Green.[10] The fate of these unfortunate men is known by all. They marched down the river as far as Mier, forty miles below Guerrero where they fell in with and engaged a Mexican army of two thousand five hundred or three thousand men, and their heroic conduct in the battle which ensued, has given them immortality throughout the world. They surrendered at last, it is true, but it was after nineteen hours hard fighting, when their ammunition was expended, and after inflicting on the enemy an admitted loss of more than one third of their force. Not even then did they resign their arms, until the most honorable terms were granted them, which have since been most treacherously and basely violated by the Mexicans—a conduct which must reflect eternal dishonor [upon] their name. Of this gallant band some few have escaped; many have fallen by disease or violence; and a mournful remnant yet survives in chains and misery.

Our part of the army, after marching fifteen miles from the

[10]"On the morning of the 7th, previous to our taking possession of Laredo, Act'g Adjutant General Hemphill read an order from Gen. Somervell, who assured the troops that of the property taken from the enemy, there should be an equal distribution. I regret to state, however, that Gen. Somervell forfeited his pledge so far as related to the horses and mules which had been brought into camp. In some instances captains of companies would allow their men to detach themselves in small numbers and acquire for their purposes any number of horses and mules they could find, other officers denied their men this privilege, saying that all property thus acquired should be procured by regular details of men, and equally divided between officers and men; but when we commenced this second retreat Gen. Somervell failed altogether to conform to his pledge. The captains consequently, who had been most particular in requiring and enforcing discipline and subordination from their men in not allowing parties to leave camp, acquired no horses or mules to supply those of their companies whose horses were unfit for service. This produced great dissatisfaction and increased the prejudice and contempt almost universally entertained and openly expressed by the officers and men towards Gen. Somervell, and in fact I heard many of the officers and men declare their determination not to be commanded by and conducted on their march home by an officer incompetent as he had proved himself to be: consequently on the morning of the 19th, when Gen.

river, halted for two days [December 20 and 21] for the purpose of killing and providing sufficient beef to last us to the San Antonio river, there being vast numbers of Mexican cattle running in the woods. During this time I had a very narrow escape from being captured or killed,—having gone back to the river, above the place where we left it, for the purpose of picking up some horses for the footmen in our company, that is the men who had lost their horses. It was my object to reach an old rancho on the river, where I expected to find plenty of horses, and General Somervell had ordered us to take as many as we could find. For this rancho, I with two of our men searched long and closely, without being able to find it. At last we gave it up as a bad hunt, and commenced our return. We had not proceeded more than two miles, when we fell in with Flacco, the Lipan chief and several others. They were on the same business we were. Flacco informed me that about two hours before, he had seen some fifteen Mexican spies taking their course towards the rancho for which I had been hunting. Now, had I found it, we should have fallen in with these Mexicans and must inevitably have been either killed or captured, as our horses were entirely broke down. The ways of Providence are past finding out, and in this instance we alone owed our safety to the protection of Heaven.

After conversing with Flacco a short time, we proceeded on, and that night lay out alone, without fire, water or food. The next morning, about ten oclock, we reached the army, and the next day [December 22] took up our line of march. The supply of beef the men had been able to obtain was considerable, but not enough to last us in the prolonged march to which we were doomed. We

Somervell issued an order of march, Captains Fisher, Cameron, Eastland, Ryan, and Pearson refused obedience, together with most of the men under their command, and a large number of privates and officers of the other companies, the result was another division of our forces, which was then reduced to about 500 men. . . .

"Captain Fisher, to whose company I was attached, stated to me that he should only proceed with those of his command down the river far enough to procure horses for those of his company who were on foot, or whose horses were unable to carry them, and a necessary supply of food to take them into the settlements, that if he did not reach Washington county, from whence he had marched with his men, as soon as I did, that he expected only to be a day or two behind me. This was the expressed intention of all the officers who had separated themselves from the main command."—Memucan Hunt's narrative in the *Telegraph*, January 8, 1843.

"On the morning of the 22d [of December], after a council of war, it

had no road nor even path to pursue in our course through this vast wilderness, where man has seldom trod, and where, it is said, (though we saw none of them) spirits and demons roam at large. In this desert wild we were doomed to wander for many days, exposed to every evil, and suffering a thousand perplexing anxieties. On the third day after commencing our march [December 25] we heard the firing of the Mexican cannon at the battle of Mier, though without knowing the cause of it, as it could not have been less than eighty miles from us.

In our march, all order was abolished, and every man acted for himself. At night we would have no guard, and in the day all was confusion. The weather was almost all the time cloudy, wet, and intensely cold, and the chapperell and prickly pear gave us infinite trouble. Our pilot had literally to cut his way through the accumulated obstacles that opposed us. The provisions of many gave out, and to add to our perplexity, no one knew where we were, or to what point we were moving,—all were lost, and our march was somewhat like that of the Children of Israel through the wilderness of old. At last we hove in view of the "Pilot Knobs," of which I have before spoken, showing themselves faintly in the cloudy distance. On the eighteenth [eighth] day [about December 29] after commencing our march for home, we struck the Nueces, though unknowing to us, within four miles of the Laredo crossing. Had we known this fact, infinite trouble might have been spared us. The next day [December 30] we crossed the river by carrying our baggage over on a log and swimming

was determined to march into the city [Mier] and make a requisition upon the authorities for *necessaries* for the army, and that in no instance would anything like plunder be countenanced. So, after detailing a sufficient camp-guard, the troops were crossed over about 9 o'clock a. m., and addressed by Colonel Fisher in an appropriate manner. He called upon them to bear in mind 'that they were upon an honourable service, and not one of pillage, and that their country would look to them for a soldier-like discharge of that service'; 'that they had before them the recent plunder of Laredo, and the ill effects of that plunder; a plunder calculated to unfit a soldier in his duty, and to create anxious desires to go home.' It is a singular fact in our physical constitution, that if we become loaded with gains either justly or unjustly, whether these gains be in the way of a caballada or *baby-clothes*, it increases a home desire to such an extent that none can resist it. In the fresh example of Laredo and Guerrero, it was manifest that in the few who indulged in this way, their *amor patrias* was lost sight of in their multiplied excuses to go home, for it is certain that they did go home."—Green, *Texas Expedition against Mier*, 74.

our horses. None were lost in crossing the river, but we had now to encounter a marshy bog, two miles wide, and filled with numerous sloughs, which we were all day [December 31] crossing,—fifty horses were lost in this bog, including General Somervell's. We encamped for the night as soon at we struck high land, and here some of the men killed their horses and ate them, in which the General partook. On the next morning, we resumed our march, and after proceeding eight or ten miles, at about one o'clock, on the first day of the year, we struck the Laredo road.[11] The exultation was boisterous, and the shout proceeded from one end of our line to the other,—those in the rear catching it up, until, like one vast halleluha, it seemed to shake both earth and sky. We knew the road instantly by the appearance of the country, and the sign of our march as we went out. We now looked upon ourselves as redeemed, and pressed forward with renewed energy and vigor. Our hunters did something for us in the way of killing game, and starvation, in the strict sense of the term, was kept at a distance, —though many a poor fellow have I seen feeding on roots and herbs and eating the roasted skin of deer that had been killed. One thing I could not but observe,—those men who were most negligent in laying in supplies when they had an opportunity to do so, and who made least exertion now in hunting and killing game, were our greatest and most troublesome beggars.—I forgot to mention that Colonel James R. Cook, with about sixty men, separated from us beyond the Nueces, and that he was now ahead of us on a lower route.—Without any thing of much interest occurring, save the continued and increased starvation among us, we at last arrived at an old, uninhabited rancho on the Laredo road thirty miles from San Antonio. Here we found a drove of beeves that had been generously brought on to meet us from the Medina by two of Colonel Cook's men. These noble fellows knew our wants and generously exerted themselves to supply them. They deserve our thanks and eternal remembrance. We had for many days before this been feeding on hawks and rabbits, and almost everything else that we could find, but now at last we had a glorious

[11]"On the 30th and 31st ult., the army with considerable difficulty, effected a passage across the Nueces—on the 1st day of January, 1843, was ordered to be disbanded, the several captains being ordered to march their respective companies to the places of company rendezvous, and there discharge the same."—Somervell's report to the Secretary of War.

feast, and spent nearly the whole evening and night in roasting and eating. Indeed, the only misfortune was that many of the men made themselves sick by eating too much.

My story is now nearly told. We proceeded from this place to San Antonio [arriving about January 4, 1843,] where we obtained a sufficiency of meal, and again had bread which we had done without for more than twenty days. We had suffered and endured all kinds of hardships; our clothes had been in tatters, and our minds and feelings oppressed by a thousand anxieties, but, thanks to our over-ruling Providence, we were now enabled to live again. We were here overtaken by some of our men who had gone down the river to Guerrero, and were informed of the unhappy fate of the brave men who accompanied them. Only about fifty or sixty escaped out of the whole number, these having been left to guard the boats and horses on the river while the others advanced on the town. This sad news cast a shade over our feelings which it was not easy for us to cast aside, and after remaining a few days at this place to recruit ourselves and horses, we returned to our homes, after an absence of five months.

My story is now told, and my history of this unwisely conducted expedition completed, in which I have tried to state facts as they were, without doing any one injustice, or in any manner perverting truth. If our country should ever see proper to authorize another expedition of the kind, let a general of experience and ability be placed at the head of the army, and instead of disaster and defeat, victory will crown her standard. All depends upon the enterprise and ability of the commanding officer, and if he is destitute of these important qualifications, no devotion or bravery in the troops, no energy or exertion on their part can atone for his errors or amend his faults,—he is the soul of the whole body, and without a soul, the body is dead.

Let us hope that the future efforts of our country will be attended with more success, and that her destiny will yet be all that is great and glorious.

MINUTES OF THE AYUNTAMIENTO OF SAN FELIPE DE AUSTIN, 1828-1832

VII

EDITED BY EUGENE C. BARKER

The Ayunto. also passed the following resolution that Whereas it has come to the knowledge of this ayunto. by persons of much respectability that Nelson Smith and John Peterson have been guilty of giving information to Hiram Friley while hid in the woods calculated and for the purpose of defeating the exertions of the ayuntamto. in their attempts to suppress crime and apprehend the criminal the sd. Friley the ayto. order that the Empresario Stephen F. Austin be recommended to withhold from the said Smith and Peterson the titles for the land which as settlers they are to receive until they can by the Ayunto. be notified to come forward, and clear up the charges, and the ayunto adopt a further resolution relative thereto. And also the Ayuntamto on account of information relative to the conduct of John Partin charges of committing some improper depredations in the property of others ordered that in like manner the sd Empresario be requested to withold the title for the land which as a settler said Partin was to have recd until he be notified to appear in like manner before the Ayuntamto. and clear up the charges, and the ayunto. adopt a further resolution relative thereto The Ayunto then ordered that the prest. issue the said notice to sd. individuals to appear with the least possible delay, before the body for the purposes before expressed, and the [p. 69] body then rose from the secret session.

In open session an account was presented to the body by the president for sundry charges and expences incurred by him in the administration of public business amounting to the sum of Forty dollars and 26/100 which was admitted by the Ayunto. and the amt ordered to be placed to his credit.

The Ayuntamto. then discussed the propriety and necessity of forming a new and general rate of ferriage thro'out the jurisdiction and after mature deliberation the following resolution and rates of ferriage was adopted and ordered to be published. (For

the ordinance establishing regulations and rates of ferriage see book of ordinances pages —)[39] it was also ordered that all public expresses and the mails should be crossed at all and any of the ferries within the jurisdiction gratis and free from any charge.

The president stated to the body that Mr. Thos. Westall had taken building lots numbers 211, 212 and 213 in place of numbers 49 and 50 which by an error had been sold by the Ayuntamto. being the property of said Westall by purchase made of Mills M. Battle in the year 1825. And inasmuch as the said lots 49 and 50 were sold by the Ayunto. for [blank] and the appraised value of Nos. 211. 212. and 213 is [blank] at which price sd. Westall takes them, he the said Westall is indebted to the Municipality in the sum of ten dollars—this entry was made by sd. Westall on the 4th Novemr. 1830 and is now ordered to be made a matter of record in this book of acts.

A letter was received by the Ayuntamto. from the Empresario Austin under date of this day which was read and ordered by the body to be engrossed in the book of acts, in [p. 70] consideration of the subject on which it treats being one of the highest importance to inhabitants of the jurisdiction and especially to those who were colonized by the sd. Empresario in his first colony. The nominal list with which the said Empresario accompanied his sd. official letter which list contains the name of each grantee, the quantity of land he received and the date of the title, in the first colony established by the said Empresario under the Colonization Law of fourth January 1823 and the Contract of the sd. Empresario with the Supreme Mexican Govt. under decrees

[39]The rates fixed by this ordinance were published in *The Texas Gazette,* January 15, 1831:

1 loaded wagon and 4 animals	$1.25
" " " " 2 "	1.00
" " cart " 4 "	.50
" " " " 2 "	.25
" empty " " 4 or 2 "	.25
" four wheeled carriage and 4 animals	1.00
" " " " " 2 "	.75
" " " " " 1 "	.50
" pack mule or horse loaded	.12½
" man and horse	.12½
" man	.06¼
" yoke of oxen in the yoke	.12½
Horned cattle	.04
Hogs	.02

Double these rates when the river was out of banks.

dated 18th Feby and 11th and 14th April 1823. Here follows an exact copy of the before mentioned letter.

Illustrious Ayto. Having completed the introduction and establishment of the three hundred families whom the Supreme Mexican Govt. granted me authority to introduce and settle by the decrees dated 18 Feby and 11th and 14th April 1823 issued under the law of colonization of 4 Jany 1823 as will appear by the annexed list of the names of the said families specifying the quantity of land granted to each colonist and the date of the concessions, which list is taken from the register of the said first colony to which I refer—and the supreme Govt. of the State of Coahuila and Texas having granted me authority to establish other Colonists to the number of nine hundred families on the vacant lands within the limits of my first colony it is of urgent necessity that it should be determined whether all the Colonists who received concessions in my said first colony have complied with the conditions and requisites of the said law of 4th Jany 1823 and of said concession of the Supreme National Govt of 18 Feby. 1823. in order that it may be known what lands are vacant and what are not, for the purpose of establishing families of my last contracts on these lands which are vacant, and not to disturb those which are possessed by legal titles, for these the govt commands in all the last contracts entered into with me on colonization—Therefore I request that [p. 71] this illustrious ayuntamto. will be pleased in use of the powers granted to the Ayuntamto, by the 23d Article and other articles of the law of colonization of 4th Jany. 1823. before cited and by the 26th article and other articles of the law of colonization of the State of the 24th March 1825, and in use of the general powers granted by the laws to the Ayuntamtos. and of the knowledge which this body has of all the inhabitants of its jurisdiction, and of whatever papers [sic] and appertains to the administration of the laws and the security of property to examine the said list and the concessions of lands granted in my said first colony and determine definitively who of the Colonists of my said first colony have complied and perfected their titles, and who have abandoned their lands, and to say to me what lands granted in my said first colony are vacant for a failure in the grantee to comply with the conditions, so that by this measure the titles

and rights of those who have complied may be forever safe and secure, and that the titles of those who have not complied may be annulled, to enable me to respect the titles and lands of the first, and to establish families in the second in conformity with the orders of the govt., with my contracts on colonization, and with the laws on the subject. Town of Austin 7th Decr. 1830—Stephen F. Austin To the Illustrious Ayunto. of the jurisdiction of Austin.—

The Ayuntamto. then ordered that Jesse H. Cartwright 2d Regidor Walter C. White 3d Regidor Churchill Fulchear 4th Regidor, and William Pettus, Sindico Procurador be and are hereby nominated a committee to take the list handed in by said Empresario and examine minutely into the merits of each grantee, and report the result to the body on the fifteenth day of the present month at which time the ayto. will meet in extra session to act upon the report and merits of said list and the ayto adjourned.

Thos. Barnett
Samuel M. Williams
Secy.

[p. 72] In the town of San Felipe de Austin on the fifteenth day of December 1830 Pursuant to the adjournment made on the seventh day of this month the ayuntamto. met, the following members were present to whom had been referred the subject of the official letter of the Empresario Austin under date of the 7th inst. as a committee to examine into and report on the list of the titles made to settlers in the first colony of the said Empresario. The prest. Thomas Barnett, Jesse H. Cartwright Churchill Fulchear, Walter C. White and William Pettus—The said list was then read and the merits of each particular settler contained in the list and determine[d] which colonists have complied with the letter of the colonization law in the settlement and cultivation of the land granted to them under said Law and whose titles ought to be and are confirmed, and also those who have not complied either by having abandoned the country or failing to cultivate and settle the Lands in conformity with the said law. The ayuntamto. therefore forming a committee of the following and before mentioned members with the exception of the prest who presided and could not be of the committee. Jesse H. Cartwright 2d Regidor

Walter C. White 3d Regidor, Churchill Fulchear 4 Regidor and Wm. Pettus sid pro. [sindico procurador] declared unanimously that the following persons never cultivated their land as granted to them and having abandoned the country have by that fact unqualifiedly declared that they abandoned the country and the land they received by concession from the Govt. do be considered and esteemed as forfeited and that the said Land did legally revert to the mass of lands belonging to the State at the expiration of two years from the date of their title in conformity with the 23d article of the [p. 73] Colonization law of 4th Jany 1823 and consequently are vacant and can be occupied and granted to other emigrants comprehended in the new contracts on colonization of the sd Empresario Stephen F. Austin and are as follows. John McCormick One third of a League of land which he recd. in conjunction with David Shelby and James Frasier situated on the west side of the brazos above the Fort and joining the tract granted to Milburn and Davis and also the fourth of a league which he recd. out of Shubael Marsh's tract the said McCormick abandoned the country in the year 1824 and the sd tracts and parcels of land are therefore declared vacant and the title which the sd. McCormick has in them null and void.

John R. Williams One League and one Labor of Land lying on Clear creek title dated 29th Jany 1824 the said Williams abandoned the country in the spring of 1825 and as he never complied with the requisites of the colonization Law, by not cultivating the League of land which was granted to him, in conjunction with the fact of his abandoning the country all title or claim in the said League of Land, which by sd concession was vested in sd Williams expired when he abandoned the country, for which reason it is declared vacant, and the title for it null and of no effect the Labor of land granted to sd Williams he improved and lived on, and disposed of it and made a legal transfer to it, which he had a right to do the title to the labor is confirmed.

John Elam one league of land lying on the brazos River on the west side above town joining Lakey's title dated August 1824 —the said Elam has abandoned the country and not settled and improved the Land, it is therefore declared vacant and the title null and of no effect and the land can be granted to other emigrants.

Bluford Brooks One League of Land lying west of the Brazos River near the San Antonio Road title dates 10th August 1824 the said Brooks abandoned the country in 1825 the land is therefore declared vacant and the title null and void and the land can be granted to other emigrants.

John Cook and Isaac Hughes One League and one Labor of Land the League of Land lying on the West Side of Galveston Bay at the Red Bluffs, the Labor lying on the west side of the San Jacinto river joining Amey White's land, both John Cooke and Isaac Hughes abandoned the country in 1826 without improving their land either the League or the Labor they are therefore both declared to be vacant and the titles null and void and the land can be granted to other emigrants.

John Monks one League of Land lying between the San Bernard and Bay Prairie title issued 16th Augt 1824 the said Monks has aband[on]ed the country never cultivated the land and it is therefore declared vacant and the title null and of no effect and the land can be granted to other persons.

Benjamin Lindsey One League of Land lying between the San Bernard and Bay Prairie title issued 19th Augt 1824 the said Lindsey abandoned the colony and never cultivated or inhabited the land and has further become as the committee are informed a settler in another place the land is therefore declared to be vacant and the title null and of no [p. 74] effect and the land can therefore be granted to other persons.

James Cummins received a grant of an Hacienda or five leagues of land as a donation for building a saw and grist mill, the title dated 7th July 1824 said Hacienda is situated on the Creek called Cummin's Creek (San Bernave) which saw and grist mill the said Cummins has failed to build, but inasmuch as the said James Cummins came to the country in the year 1822 at a time when this department was a perfect wilderness, void of every kind of resources, and the said Cummins was very useful in the early settlement of the colony and in union with his family suffered every description of privation and hardships, was always hospitable and expended a good deal of property in assisting others and feeding all who went to his house, and also expended much property in endeavoring to build a mill, suffered much by the invasions and inroads of the barbarous indians, and further served the public

as Alcalde during four years without receiving any compensation, and is now far advanced in Years the committee recommend that Eighteen months time be allowed said Cummins from this day to build, erect, and complete a good saw and grist mill, on the said Hacienda, to be approved by the ayunto. of the jurisdiction or by a committee appointed from the body and in case he should so erect and complete the sd mill within the sd term of 18 months, the title to be confirmed to him his children and heirs and if not that from and after the expiration of said term, the said Hacienda of five leagues be vacant, and granted to others and the title null and void.

William Rabb received a grant of three Leagues of land on the Colorado above the Labahia Road as a donation for building a saw and grist mill which saw and grist mill the said Rabb has failed to build, but inasmuch as the said [Rabb] came into the country in the year 1822 and suffered many privations and hardships and has also by barbarious Indians been prevented from perfecting the mill which he commenced the committee recommend that Eighteen months be allowed said Rabb from this day to build, erect, and complete a good saw and grist mill in the said tract of three leagues to be approved of by the Ayunto. or by a committee appointed from the body, and in case he should so erect and complete the said mill within the said term of 18 months, the title of sd three leagues to be confirmed to him, his children and heirs and if not that from and after the expiration of said term, that the said three leagues be vacant, and granted to others and the title for the sd three leagues to be null and void.

Kinchen Holliman received as a colonist One League of Land situated on the right bank of the river brazos under title dated 10th Augt 1824 which land the said Holliman has cultivated, but has failed to fix his domicil in this country, and also all his property is in the state of Mississippi from which place he is and has been in the habit of making annual visits and remaining a few months in this country and then return again to the United States, which course of conduct demonstrates a disposition not to comply with the object of the concession, but to evade the laws and retain possession of the land, contrary to the Laws of the nation, the committee therefore recommend that the term of six months counting from this day be allotted to the said Holliman to remove with

his property from the U. S. to this colony for a permanent [p. 75] residence in the country and in case he do so within the said term that his title to the sd land be and is confirmed, but should he fail to remove his property and permanently fix his domicil in the country within said term, that the sd league of Land revert to the mass of vacant lands and the title be annulled.

The balance of the concessions made by the Commissioner and Empresario to the other families in the said first colony amounting in all to Two hundred and ninety as contained in the list furnished by the Empresario Austin drawn from the register of the colony in which is contained all the titles in the said first colony, are perfect and valid for each of the said grantees has fully complied with the conditions of the law and of his concession, and they have each of them completed their titles, which are therefore confirmed to them and their legal representatives.

All of which received the undivided and unanimous approbation of the body, and that it may at all times appear for the satisfaction of the interested persons the Ayuntamto. ordered that the official letter of sd Empresario, and the said list be filed in the archives of the ayunto. and that this act be signed by every one of the members present and further that a certified copy of it be passed to the Empresario Stephen F. Austin for his information and the purposes for which he may conceive it necessary.

Thos. Barnett
Prest
Samuel M. Williams
Secretary
Jesse H. Cartwright
2 Regidor
Walter C. White
3 Regr.
Ch.h. [Churchill] Fulshear
4 Regidor
Wm Pettus
sin pro

In the same place day month and year in the evening at 3 o'clock the ayuntamto. met to deliberate on various petitions which had been presented to the body by individuals, in which the[y] solicit

the Supreme Govt. of the State for an augmentation of the Lands which they have recd or are entitled to receive which petitions are as follows

first—Byrd Lockhart's soliciting lands in the colony of the Empresario Green De Witt for services rendered in opening roads etc to which the ayto. ordered a favorable report.

second—Sarah Scily's wife of the Empresario Green DeWitt soliciting a league of land to protect herself and family from poverty to which they are exposed by the misfortunes of her husband to which the ayto. ordered a favourable report.

third—James Kerr's soliciting lands in said colony on account of services rendered for the public good of the colony, to which the ayunto. ordered a favourable report.

fourth—Samuel Gates' soliciting one league of land on account of being one of the old settlers and not having sufficient for stock to which the Ayuntamto. gave a favourable report.

fifth—John H. Scott's soliciting a league of land in lieu of a quarter having force enough to settle a league to which the ayunto. gave a favourable report.

Sixth—John W. Hall's soliciting a league of land in addition to two leagues which had already been granted to him. The ayuntamto acceeded to Halls petition so far as to recommend [p. 77] a league to be granted to him, which shall be purely pasture land and not in the way of any settler.

Seventh—Robert Vince's petition for one league of land to which the ayuntamto recommended that an additional half league be granted to him and no more.

Eighth—William Pettus handed in a petition and retired in which he petitioned for lands in Mr. DeWitt's Colony to compensate him for money expended in sd colony and for services rendered in sd colony and in this in the early settlement to which the ayuntamto. made a favourable report.

and the ayuntamto. adjourned

Thos. Barnett
Samuel M. Williams
Secy

[p. 78] In the town of San Felipe de Austin 19th Decemr 1830 In conformity with the provissions of the 164th Article of

the constitution of the State and the 100th Article of Law number 37. The Ayuntamto. of this Jurisdiction met in the Hall of the Ayuntamto. The following members being present. Thos. Barnett prest. Jesse H. Cartwright 2d Regidor Walter C. White 3d Regidor and William Pettus sindico procurador and in presence and with the assistance of the Presidents tellers and secretaries of all the municipal electoral assemblies the president declared the session open, and when the lists made in said Municipal assemblies that were present and had been handed in were opened by the president and the three general lists were formed in conformity with the provissions of the before cited art 100 of said law No. 37, and agreeably to the result of them the president declared as Constitutionally elected Alcalde citizen Francis W. Johnson he having obtained the majority of votes and citizens Randall Jones and Pleasant D. McNeil as Regidors having received the majority of votes and citizen Robert M. Williamson as sindico procurador he having recd the majority of votes and one of them [one of the lists] immediately posted in a public place the originals remaining on record. The President then ordered that the proceedings should be carried on relative to the election of Comisarios and sindicos of precinct.

Thos. Barnett
Samuel M. Williams
Secy

[p. 79] List of Individuals who were voted for for Alcalde at the Municipal Elections held on the 12th and 13th of the present month in conformity with the 164th articles of the constitution and articles 97 and 100 of Law No. 37

Francis W. Johnson	recd	235	votes
James Norton	"	36	do
Humphrey Jackson	"	32	do

Town of Austin 19th Decr 1830

Thos. Barnett

John W. Moore	Jesse Grimes
Saml Peniston	John Huff
Thos. H. Mays	Martin Allen
C. B. Stewart	Thos. Cayce
J. D. Morris	

[p. 80] List of the Individuals who were voted for for Regidors at the municipal elections held on the 12th and 13th of the present month in conformity with 164th Article of the Constitution and 97 and 100th articles of Law No. 37

Randall Jones recd.....266 votes
Pleasant McNeil .....142 votes
William Robinson .....120 votes
John P. Coles..... 68 votes

Town of Austin 19th Decr 1830

Thos. Barnett

John W. Moore
Sam Peniston
Thos. H. Mays
C. B. Stewart
J. D. Morris

Jesse Grimes
John Huff
Martin Allen
Thos. Cayce

NEWS ITEMS

The Texas State Library has finished arranging an accumulation of many years of Texas state documents. These documents are now available for free distribution to any library that desires them. Especially important among the more recent publications are the secret journals of the Senate of the Republic of Texas, edited by Ernest W. Winkler and published as a part of the first biennial report of the Texas Library and Historical Commission. Requests should be addressed to Miss Elizabeth H. West, State Librarian.

Charles A. Gulick, Jr., is editing the papers of General Mirabeau B. Lamar, second president of the Republic of Texas, for publication by the Texas State Library. These manuscripts are now in the State Library, having been purchased from Mrs. Loretta Calder, daughter of President Lamar, some years ago.

Dr. William E. Dunn, Associate Professor of Latin American History, who has been on leave of absence for the past two years, has resumed his duties at the University of Texas.

A sketch of Samuel Wesley Fordyce, who died recently at Atlantic City, New Jersey, was printed in the *Dallas News* of August 8, 1919.

Gordon Russell, judge of the United States district court for the eastern district of Texas, died at Kerrville, Texas, September 14, 1919. The *Dallas News* of September 16 published a brief sketch of his official career.

Benjamin Dudley Tarlton, professor of law in the University of Texas, died at Beeville, September 23, 1919, as a result of exposure during the storm that devastated the coast.

The *San Antonio Express,* October 5, 1919, printed a list of the officers of the Texas Historical and Landmarks Association. Captain J. E. Elgin, of San Antonio, is president, and Mrs. H. Wagenfehr, of San Antonio, is secretary.

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MIRABEAU BUONAPARTE LAMAR*

A. K. CHRISTIAN

CHAPTER I

EARLY LIFE IN GEORGIA

When Mirabeau Buonaparte Lamar arrived in Texas just before the battle of San Jacinto to cast in his fortunes with the new republic, he had already achieved some prominence in his native State of Georgia. He was born at Louisville, Warren County, in that State, on August 16, 1798, the second of a family of nine. The family from which he was descended, tradition says, being Huguenots, left France during the persecution of Protestants under Richelieu and settled in Maryland. On November 17, 1663, Lord Baltimore granted certificates of nationality to Thomas and Peter Lamore, and ten years later to John Lamore. Peter Lamar left a will dated in 1693. Thomas Lamar also left a will, dated October 4, 1712, leaving to his wife and two sons, Thomas and John, considerable estates in Prince George's County. The second Thomas also left a will, dated May 11, 1747, in which he distributed a large estate among his six sons and two sons-in-law. In 1755 three of these sons, Robert, Thomas, and John, and one of the sons-in-law, sold their estates and moved down into South Carolina and Georgia. The father of the subject of this paper

*This life of President Lamar was undertaken by Mr. Christian while a graduate student at the University of Texas, and continued at the University of Pennsylvania, where it was accepted as the thesis for the Ph. D. degree. On account of the continued illness of Dr. Christian it is published without certain revisions which he expected to make.

was John Lamar, grandson of the John Lamar who settled in Georgia in 1755. He was born in 1769, and married his first cousin, Rebecca Lamar.[1]

To John and Rebecca Lamar were born four sons and five daughters. With the family lived Zachariah Lamar, a brother to John, an eccentric, self-taught man, who is supposed to have given to the sons their names. He afterwards married and his daughter became the wife of Howell Cobb, prominent in Georgia history. The eldest son, Lucius Quintus Cincinnatus, became a member of the Superior Court of Georgia in 1830, at the age of thirty-three. He was the father of L. Q. C. Lamar, who was a prominent Southern statesman before and after the Civil War, becoming Secretary of the Interior in President Cleveland's Cabinet, and later an Associate Justice of the United States Supreme Court. Other sons were Jefferson Jackson and Thomas Randolph.[2]

It is probable that Mirabeau availed himself of the opportunities offered by the schools in his locality, though he never went to college. "Though not a rich man," wrote Joel Crawford, a contemporary, and the law partner of L. Q. C., the elder, "Mr. John Lamar, by dint of industry and good management, found means to give his children the best education which the schools of the country afforded. None of them had the benefit of a college course, nor were they (it is believed) acquainted with the ancient classics or any other language but English."[3] A close application to the rules of good English is indicated in all his writings, though how much of this was due to training in school it is impossible to say. It seems, however, that he was chiefly self-taught, as in all his writings there is evident a lack of system which is likely to come with self-education. That he acquired a great mass of information is certain, and his native ability in expression caused him to be rated by his contemporaries much above his merit.

In 1819, at the age of twenty-one, he established a general merchandise business in Cahawba, Alabama. Being unsuccessful in this business, we find him in March, 1821, announcing his purpose to publish a humorous paper, "Village Miscellany to be writ-

[1]Edward Mayes, *Lucius Q. C. Lamar*, 13, 14.

[2]*Ibid.*, 218.

[3]*Bench and Bar of Georgia.* Quoted by Edward Mayes, *Lucius Q. C. Lamar*, 16.

ten in a series of numbers by Lanthornbalvon."[4] On January 1, 1822, he had printed a broadside in verse entitled, "New Year's Address to the Patrons of the Cahawba Press." When he became editor of this paper, if he did, does not appear. A few days later he sent a copy of this address to his brother in Georgia. In a note on the back of the broadside he wrote:

Dear Brother
I am here in Cahaba, without any business, or likelihood to obtain any, shortly— You need not be disappointed if you see me back in Geo. again in few weeks; in great haste
Yours &C.
M. B. Lamar.[5]

At the same time he explained that he had written the address "with a running quill," and apologized for the errors. It seems probable that the verses were contributed by Lamar to the Cahawba Press, and that he had no official connection with the paper.

In 1823 George M. Troup became Governor of Georgia after a four years campaign, and Lamar acted as his private secretary during the stirring times of his administration. He was recommended for the appointment by Joel Crawford, law partner of his elder brother, as a "gentleman not more distinguished by the loftiest sentiments of honor, than by mental Superiority & devotion to republican politics.[6] It was during this period that the struggle between Georgia and the Federal Government over the removal of the Creeks and Cherokees took place, and Lamar is credited with activity in raising the militia to resist the efforts of the Federal Government to coerce Georgia.[7] It was probably at this time that he conceived an enmity towards the Indians that went with him throughout his life. It was during this period, also, that he adopted the principles advocated by the extreme States' Rights party.

On January 1, 1826, his term as secretary to the governor having expired, he married Miss Tabitha B. Jordan, of Perry, Alabama, and for the next two years lived in retirement on the farm. On January 1, 1828, he announced his purpose to publish a newspaper in the town of Columbus, "if sufficient patronage can be

[4]MSS., *Lamar Papers*, No. 34.
[5]*Lamar Papers*, No. 44.
[6]*Lamar Papers*, No. 50.
[7]Henry S. Foote, *Texas and the Texans*, II, 285.

obtained to warrant the undertaking." The *Columbus Enquirer,* he announced in the prospectus, was to be attached to "the Republican creed as exemplified in the administration of Thomas Jefferson; and in State politics, adhering to the principles that characterized the late able administration of Governor Troup, it will defend 'the Union of the States and the sovereignty of the States.' " Its influence in the ensuing presidential election was to be given to the democratic candidate most formidable to the men in office. "But it will not be wholly devoted to these matters," he stated. "A large portion of its columns will be filled with such miscellaneous selections as are calculated to please and to instruct;—to gratify fancy and to increase knowledge—making it a literary as well as a political paper." It was to be printed on a large sheet, with new type, once a week, at three dollars a year.[8]

He continued the publication of this paper alone until 1833. During that time he wrote editorials on the questions of the day. A number of them were in defence of the Troup administration. Others defended the Federal Government for the removal of the Indians west of the Mississippi, defended the doctrine of state rights, and discussed in a learned and heavy way various constitutional questions. There are also book reviews written by him. At the same time he was getting practice in public speaking by delivering addresses to various boys' and girls' schools.[9]

In the summer of 1833 Lamar became a candidate for Congress. It was the custom for the legislative caucus to nominate the candidates for Congress. The caucus met at Milledgeville and nominated the nine candidates, passing over Lamar, and appointed a committee of seven to fill any vacancies which might occur. There was a vacancy, but the committee of seven refused to endorse the candidacy of Lamar, and nominated another, making ten candidates for the nine seats. Under these conditions Lamar was defeated. During the campaign he came out in an address denouncing the caucus system, and stating that he would submit his candidacy to no seven men. He complained that the Troup party was not represented, and that there was hence inequality.

[8]*Lamar Papers,* No. 73.

[9]*Lamar Papers,* Nos. 69, 78, 79, 84, 85, 88, 89, 90, 102, 104.

"If my political bark cannot sail upon the sea of correct principles," he wrote in his bombastic style,

> let it founder,—it shall never float upon the waves of triumphant error. . . . If my political course has been equivocal or treacherous—warm when honors were to be distributed, but cool if not bestowed on me—if I have either in public or private life been more cunning than candid, more selfish than serviceable, or more illiberal than just—if I have made Patriotism subordinate to a love of promotion; demanding much, but performing little, fattening upon offices, yet with cormorant appetite still asking for more, and threatening desertion if more is not given—in a word, if I have been one of those hollow-hearted politicians, who hold with the hare and run with hound, . . .

then, he did not deserve the office that he aspired to.[10]

After his defeat for Congress in 1833, Lamar became active in the organization and propagation of the States' Rights Party of Georgia. On November 13, 1833, a States' Rights meeting met at Milledgeville and adopted a preamble and resolutions. It denounced Jackson's proclamation in connection with nullification in South Carolina; adopted "the Virginia and Kentucky Resolutions as triumphant in 1825, 6, 7," and denounced the Force Bill as a glaring infraction of States' rights. A few days later a prospectus announced a new series of the *Columbus Enquirer* to be edited by Mirabeau B. Lamar and William B. Tinsley in support of the principles of the States' Rights Party.[11] About the same time Lamar delivered an address upon the doctrines of the States' Rights and Union parties in Georgia. He stated that the union was a union of sovereign and independent States bound together by a written compact, and the general government is the agent of the States. He defended the right of nullifying an act of Congress as the agent has no power under the Constitution to coerce a State. "But if the agent, feeling might and forgetting right, shall attempt to enforce her mandates by military coercion, then the State thus menaced must determine for herself whether she will submit to the objectionable acts—meet force with force—or retire peacefully from the Union. Such I believe to be funda-

[10]Broadside, *Lamar Papers*, No. 168.
[11]*Lamar Papers*, No. 178.

mentally the doctrine of the Party with which I have the honor to act."[12]

He continued his connection with this paper until some time in 1834. The death of his wife in 1833, together with an impairment of his own health, and a naturally restless disposition, led him to sever his connection with the paper in 1834, temporarily, if not permanently. In January, 1835, we find him in Alabama on his way to Texas.[13] He arrived at Nacogdoches in July, and immediately proceeded to Coles's settlement, where he made known his intention to become a citizen of Texas. He paid Captain Horatio Chriesman a fee to run off a headright of land. He also announced in a public address, at Washington his intention to become a citizen of Texas, and said that he desired in the event "of a revolutionary struggle, to made *her* destiny *mine* for good or ill." It seems that these declarations were the result of a more or less sudden impulse. A biographical sketch, published in the *Nacogdoches Chronicle* in 1838 states that he came to Texas to collect material for a history of Texas.[14] This seems a likely reason for his trip as is indicated by the nature of his collections during that period.

From Washington he went to San Felipe, but he found the land office closed on account of threatened hostilities, and was unable to get a certificate for his headright. He was told by Stephen F. Austin that he could return to the United States to settle up his business there before emigrating, and sailed for Georgia in November, 1835. He arrived in Georgia late in the year, but almost immediately learned that there was danger of a serious war, and returned to Texas before he could attend to his affairs in Georgia,[15] arriving at Velasco in the latter part of March. During his brief stay in Georgia he had succeeded in interesting several men there in land speculation, and he brought back with him $6,000 to invest for them in Texas land.[16]

[12]*Lamar Papers*, No. 177.

[13]*Lamar Papers*, No. 194.

[14]*Telegraph and Texas Register*, April 14, 1838; June 23, 1838.

[15]*Telegraph and Texas Register*, June, 23, 1838.

[16]M. B. Lamar to J. J. Lamar, April 10, 1838; *Lamar Papers*, 351.

Chapter II

AS A TEXAS REVOLUTIONIST, 1836-1838

When Lamar arrived in Texas in the latter part of March, 1836, the affairs of the Texas Revolutionists seemed well nigh hopeless. After a period of successes during November and December, 1835, their fortunes had undergone a change. In January, 1836, Santa Anna had begun the invasion of Texas with a force of six thousand men. On March 6, the Alamo fell, while the convention at Washington on the Brazos was declaring Texas independent, and framing a provisional government. The Goliad massacre had taken place on March 27, and the Texan army under General Houston had begun a retreat from Gonzales which took them to the San Jacinto battlefield. And not only the army, but the whole populace was in a panicky flight. The civil government under David G. Burnet had first fled from Washington to Harrisburg, and thence to Galveston Island. It was under these circumstances that Lamar joined the army just before the battle of San Jacinto.

On March 25, 1836, Alexander E. Patton of Velasco wrote to a man named Kilgore at Brazoria, asking that his horse, which Kilgore had been keeping, be turned over to "Mr. M. B. Lamar . . . just arrived on the Schooner Flash . . . anxious to visit the army."[17] Whether the horse was turned over to Lamar does not appear. One biographer states that Lamar walked from Velasco to Harrisburg in order to get there in time for the expected battle.[18] On April 10, he wrote his brother at Macon, Georgia, stating that he was expecting to go into battle, and giving directions as to the disposal of his effects in case of his death. "I shall reach Houston day after tomorrow, a distance from this place about 50 miles," he wrote.

In the event of my falling in Battle, you will find my trunks, papers, etc., in the possession of Mrs. Jane Long, who has temporarily fled from Brazoria to Boliver point at Galveston Bay. The money brought by me to be laid out in Lands, I have of course, in the present confused state of things, not been able to lay out. Govt. has no authority to sell lands, and from individuals no pur-

[17]Patton to Kilgore, March 25, 1836, in *Lamar Papers*, No. 348.
[18]Thrall, *Pictorial History of Texas*, 581.

chase can yet be made with safety. I have therefore been much embarrassed to know what to do with so large a sum of money; it is dangerous to keep it about me, especially as I am going into Battle. After due consideration, I have placed it in the hands of Lorenzo Zavala, the vice-President of the Government, the most responsible and probably the most honest among them. . . .

My health at present is good. I feel much solicitude for my mother; If she was well and cheerful and could bear affliction with more fortitude, I should be happy— Tell Rebecca Ann that she must learn to write read and spell well, and that is the best education. . . .[19]

Some time between the date of this letter and April 20 he joined the army on the Brazos, as a private. On April 20, in a preliminary skirmish at San Jacinto, he rescued a comrade at the risk of his own life, and for this gallant conduct he was elected to the command of the cavalry.[20] On the following day he was in command of the cavalry, and was officially commended by the commander-in-chief, Sam Houston, and the Secretary of War, T. J. Rusk, who was present and took part in the battle. Houston in reporting the battle said:

Our cavalry, sixty-one in number, commanded by Colonel Mirabeau B. Lamar, whose gallant and daring conduct on the previous day had attracted the admiration of his comrades and called him to that station, placed on our right, completed our line. Our cavalry was first dispatched to the front of the enemy's left, for the purpose of attracting their notice, whilst an extensive island of timber afforded us an opportunity of concentrating our forces and deploying from that point, agreeably to the previous design of the troops. Every evolution was performed with alacrity, the whole advancing rapidly in line and through an open prairie, without any protection whatever for our men.[21]

The same sentiments were expressed by Rusk in his report to the President.[22]

As is well known, the battle of San Jacinto resulted in overwhelming victory for the Texans. Practically the whole Mexican

[19]M. B. Lamar to J. J. Lamar, April 10, 1836, *Lamar Papers*, No. 351.

[20]Thrall, *Pictorial History of Texas*, 581; *Texas Almanac*, 1858, p. 110. Brown, *History of Texas*, II, 20.

[21]Brown, *History of Texas*, II, 20; Yoakum, *History of Texas*, II, 500. *Lamar Papers*, No. 355.

[22]Brown, *History of Texas*, 27; Yoakum, *History of Texas*, II, 504; *Lamar Papers*, No. 354.

army under Santa Anna was captured, including Santa Anna himself. On April 22, General Houston and Santa Anna entered into an armistice until a treaty of peace could be drawn up, and Santa Anna ordered his subsidiary forces to return to Bexar for further orders.[23] It was thought by General Houston, President Burnet, and a majority of the Cabinet, that an excellent opportunity presented itself while Santa Anna was in their power to form a treaty guaranteeing the independence of Texas. Lamar, who had become Secretary of War on May 5, in place of Rusk, who had assumed command of the army, and Potter, Secretary of the Navy, opposed any treaty with Santa Anna, and favored his execution for the crimes he had committed.

In his letter to the President and Cabinet on May 12, Lamar said that a majority of the Cabinet considered Santa Anna a prisoner of war, but he considered him a murderer. "A chieftain battling for what he conceives to be the rights of his country," he continued,

> however mistaken in his views, may be privileged to make hot and vigorous war upon the foe; but, when in violation of all principles of civilized conflict, he avows and acts upon the revolting policy of extermination and rapine, slaying the surrendering and plundering whom he slays, he forfeits the commisseration of mankind by sinking the character of the hero into that of an abhorred murderer.

Some would assent to the justice of the sentence of death, but were willing to waive its execution for certain advantages which might flow to the country from a wise and judicious action. He asked what surety had they that any stipulations would be carried out.

> What he assents to while a prisoner, he may reject when a freeman. Indeed, the idea of treating with a man in our power, who views freedom in acquiescence, and death in opposition, seems to me more worthy of ridicule than refutation.

He said that it was doubtful if Santa Anna would have the power to fulfill his engagements, even if he had the will to do so. He expected that as soon as the news of the defeat should reach Mexico, Santa Anna would lose all his authority, and would be powerless for good or ill.

[23]Yoakum, *History of Texas*, II, 150.

I am therefore decidedly opposed to all negotiation or arrangements with him;—first, because he is a prisoner and not free to act; secondly, because he is faithless and therefore unworthy of confidence; and thirdly, because of the great certainty of his inability to fulfill his promises even with the desire to do so.

He stated further that even if negotiations should be entered into and prove successful, he would regret the miscarriage of vengeance and justice. Finally, if any negotiations were undertaken, he thought arrangements should be made for transferring the prisoners in exchange for Texan prisoners in Mexico, holding Santa Anna till the end of the war.[24]

In spite of the opposition of Lamar, and the strong reasons given for retaining Santa Anna, the Cabinet entered into an agreement with him on May 14. By the public agreement, which was more in the nature of an armistice, Santa Anna agreed not to take up arms, nor use his influence to cause them to be taken up during the war for independence. He agreed on withdrawal from Texas, and an exchange of prisoners. The Texan authorities, on their part, agreed to send Santa Anna to Vera Cruz as soon as it should be judged proper. By the secret agreement entered into the same day, besides the points mentioned in the public agreement, he agreed to prepare the cabinet of Mexico to receive the mission which the government of Texas might send, so that "by negotiations all differences may be settled, and the independence that has been declared by the convention may be acknowledged." He agreed, further, that a treaty of commerce, amity, and limits between Mexico and Texas, should be established, the territory of Texas not to extend beyond the Rio Bravo del Norte. Texas agreed that "the present return of General Santa Anna to Vera Cruz being indispensable for the purpose of effecting his solemn engagements, the government of Texas will provide for his immediate embarkation for said port."[25]

The Government was on the point of sending Santa Anna to Vera Cruz in accordance with this agreement, when, on June 3, Thomas Jefferson Green arrived at Velasco with two hundred and thirty volunteers from New Orleans, and on account of their opposition prevented his release. At that time, and after, Lamar sup-

[24]*Lamar Papers*, No. 361; Brown, *History of Texas*, II, 56-60.

[25]Yoakum, *History of Texas*, II, 526-528; Brown, *History of Texas*, II, 62-64; *Lamar Papers*, Nos. 365, 366.

ported the civil against the military authorities, and joined with the President in resisting the demands of Green and his coadjutors for the execution of the prisoner.

General Houston had been severely wounded in the battle of San Jacinto, and found it necessary to go to New Orleans for treatment. Consequently, he surrendered the command of the army, May 5, 1836, to Brigadier-General Rusk, who had resigned as Secretary of War. The army under Rusk followed the retreating Mexicans as far as Goliad, where they collected and buried the bones of Fannin and his men, and then established headquarters at Victoria.[26] Here they were joined by volunteers from the United States, increasing the army to about twenty-three hundred by July 1.[27] Among these volunteers were Green, who had prevented the sending of Santa Anna to Vera Cruz, Felix Huston, and others who felt themselves specially fitted to command the army. The army undoubtedly fell into a state of mutiny. Each of the leaders of volunteers was intriguing for the chief command. Some of the soldiers held that Sam Houston was still in command though absent, and refused to obey the orders of Rusk. It was under these circumstances that Rusk appealed to the President and Cabinet to appoint a commander-in-chief of the army. Acting on this request the President and Cabinet, on June 25, appointed Lamar, who had resigned as Secretary of War a few days before, to be Major-General and Commander-in-Chief of the army.

It was not until July 14 that Lamar arrived at the camp. In the meantime he had been at Brazoria making preparations for supplies for the army, and preparing to resist the invasion which seemed threatening. He had received numerous letters of congratulation, and was unprepared to learn when he reached Victoria on the 13th that there was considerable opposition to accepting him as commander-in-chief. When he arrived at the headquarters of the army at Guadalupe the following day, he was met by a committee which had been appointed previously, and requested not to assume authority as commander-in-chief until the subject could be more fully considered by the officers.

Felix Huston, who had arrived in camp on July 4, according to his account, was one of the leaders in the refusal to receive Lamar,

[26]Yoakum, *History of Texas*, II, 177.
[27]*Ibid.*, II, 183.

though he pretended to be acting only as an agent for the others.[28] At a meeting of the officers shortly after he arrived in camp, Huston said, all present were willing to acknowledge the merits of Lamar, but that they denied the power of the Cabinet to supersede General Houston and they would not consent to the destruction of General Rusk. He suggested the appointment of a committee to meet General Lamar and acquaint him with the desires of the officers. The committee was appointed, and resolutions drawn up as follows:

Resolved, That this meeting highly appreciate the gallantry and worth of General Lamar, and will be at all times ready to receive him with the cordiality and respect due to his personal and military acquirements.

Resolved, That Colonel B. F. Smith and Colonel H. Millard be appointed a committee to wait on General Lamar, and tender him the respects of this meeting, and inform him that, there being some question of the propriety of his appointment by the President as major-general of the Texan army, by which he is directed to assume the chief command of the army, he is requested by the officers present not to act in his official capacity of major-general until the subject may be more maturely considered by the meeting of the officers of the army.[29]

Lamar, unwilling to accept the statement of the officers as to the resistance to his assumption of command, determined to address the army. In his speech he dwelt on his service in the battle of San Jacinto. Since then he had been on the point of returning to the United States when news came that the Mexicans were preparing to invade Texas again, and he immediately made his plans to join the army. He was not anxious to lead the army if they did not want him, but would cheerfully take his place in the ranks. After he had spoken Rusk, Green, and Huston spoke, and then the army voted. This resulted in only 179 votes for Lamar, and probably 1500 against him, most of the opponents being in favor of General Sam Houston. Lamar, in his report to President Burnet, July 17, said:

[28]Yoakum, *History of Texas,* II, 185. Yoakum makes the mistake of accepting unquestioningly Huston's version of this event. The main facts related are essentially correct, but it takes no cognizance of the intrigues of Green and Huston for the chief command, and the desire of Rusk to retain it, largely influenced by them.

[29]Yoakum, *History of Texas,* II, 184, note.

Everything is in the utmost confusion and rebellion. On my arrival I was informed that I could not be recognized as Commander in Chief. I proposed to speak to the soldiers, and did so, but was answered by Rusk, Green, and Felix Houston, who carried the popular current against me. I had an open rupture with Genl Rusk, believing it to be the secret arrangements of his to supplant me. Some hostile correspondence ensued; which instead of leading to further difficulty, has resulted in this arrangement, viz, that he is to recognize my orders in the future; that the regulars and about 6 or 8 volunteer companies are to march to another encampment under my command; where I shall issue my orders as Commander in Chief to the balance of the army of Texas, and if Green and Felix Houston still maintain their present attitude of rebellion to my authority, I shall punish them by Court Martial if possible, and if not shall report them to Congress. You will perceive from this dreadful state of affairs the high and absolute necessity of convening a Congress.

Before he had finished his report, however, the plan outlined had become untenable. "Since writing the above," he added in a postscript,

Genl Rusk has recd a letter from Genl Greene stating his determination not to obey any orders issued by virtue of my authority denying the validity and constitutionality of my appointment. Genl Rusk says he will *now* stand by me in defense of the Civil authority; he sees his own power departing as well as mine; the whole has been produced by his desire for promotion, and finding that his new allies are not aiming at his support but at their own aggrandizement, he is willing to cooperate with me; but I fear that nothing that he can now do will be of any service in the cause of restoring that authority which his previous conduct has prostrated.[30]

Realizing the hopelessness of securing control of the army with Green and Huston intriguing against him, Lamar withdrew. The failure of the Mexicans to make the threatened invasion caused the army to become reduced shortly after, and apparently no ill results followed the mutiny. That the opposition of the army was not due to any unpopularity of Lamar is evident, for in spite of this seeming reverse he continued to hold the esteem of the people for a number of years, receiving in succession election to the Vice-Presidency and the Presidency.

On July 23, 1836, President Burnet issued a proclamation call-

[30]*Lamar Papers*, No. 414.

ing for the election of a President, Vice-President, and Congress. At the same time the voters were to vote on the ratification of the Constitution which had been adopted by the Convention in March, and to decide upon the question of annexation to the United States. The election resulted in the choice of Houston as President and Lamar as Vice-President. The Constitution was adopted, and the vote for annexation, if it could be obtained, was almost unanimous. There was only a nominal opposition to Lamar, and his majority over all opponents was 2,699.[31]

The Constitution provided for the installation of the new government on the second Monday in December. The new Congress had assembled on the fourth of October, however, and there was considerable agitation in Congress for the installation of the President and Vice-President at an earlier period than that provided by the Constitution. Consequently, on October 22, Burnet announced his readiness to retire, and as Vice-President de Zavala had resigned the preceding day, the Constitutional President and Vice-President were inaugurated. Lamar confided to his diary the current impression that Burnet had been forced out by Houston's activity, and foreshadowed his own failure to get along harmoniously with Houston. He wrote:

> Houston was so anxious to enter upon the duties of his office, that Burnet was forced by the threats of members of Congress that if he did not retire for the new President he would be pushed out. The Constitutional period for the installation of the President had not arrived as yet by a month. Houston could not wait. Burnet was forced to retire. Austin advised him to do it for the sake of peace; and insinuated that if he did not Congress would probably push him out. This was the first act of the government, a palpable violation of the Constitution. That little month Houston could not wait; nor could the hungry expectants brook the delay who were looking forward to presidential favors.[32]

Lamar delivered his inaugural address to both houses of Congress on October 22, and on the 24th he addressed the Senate on taking his seat as presiding officer. He stated that he was entirely lacking in knowledge of parliamentary procedure, but promised to be impartial. He said that he could not be expected to exercise any influence over legislation, but he wished to call their

[31]Brown, *History of Texas*, II, 99.

[32]*Lamar Papers*, No. 521.

attention to two evils, defamation of the character of opponents, and "Party." By party he did not mean taking sides on any measure, but organizations for advancing the interests of some favorite, thus recalling his own experience with party organization in his race for Congress in 1833.[33]

As presiding officer in the Senate Lamar's duties were not onerous, and for several months after his inauguration he busied himself collecting material for a history of Texas. The adjournment of Congress on December 21, had given him all the time needed for this, and he traveled over the Republic collecting material from original settlers.[34]

In May, 1837, Lamar returned to Georgia for a visit. He was received with honor everywhere. Many public dinners were given him, and he found all the opportunities he desired for making public addresses. He had hardly arrived in Georgia, however, before his friends in Texas began importuning him to return. Richard R. Royall wrote him on May 7, urging him to return to Texas to look after his presidential prospects.[35] Complaints were made of Houston's incompetency, his excesses in drinking and gambling, and his evident wish to retire. Finally, the Senate, September 30, 1837, passed in secret session a resolution "requesting and enjoining" him to return in view of Houston's illness and a threatened invasion by the Mexicans.[36] He returned in the latter part of October and resumed his seat as presiding officer of the Senate on November 8, when he delivered his customary address.

It seems that almost from the beginning Lamar was looked upon as the logical successor to Houston in the presidency. The letters I have referred to all spoke of the necessity for Lamar's return in order to look after his presidential prospects. The first formal move toward putting his name before the people was on December 1, 1837, when eleven out of the fourteen members of the Senate sent him a letter asking him to accept the nomination. They wrote:

[33]*Lamar Papers*, No. 469.

[34]Among his collected papers for this period are Reminiscences of Henry Smith, 1788-1836; Reminiscences of Richard R. Royall, 1835-1836; Miscellaneous Notes on the history of Austin and Texas; Peter W. Grayson's visit to Mexico to release Austin.

[35]*Lamar Papers*, No. 550.

[36]*Lamar Papers*, Nos. 554, 558, 598, 601.

In our anxiety to select the most suitable person to fill the office of President of this Republic, at the expiration of the term of General Sam Houston, we are satisfied from a knowlede of your character civil and military that you would be his most appropriate successor.

We respectfully request that you would inform us if you will permit your name to be used as a candidate for that high office. In making this request we are confident and happy in the belief that we express the wishes of a large majority of our fellow citizens.[37]

Before responding to this letter, Lamar, on December 7, wrote a note to T. J. Rusk, who had also been mentioned as a candidate for the presidency, asking Rusk's intentions with regard to the office, and expressing his intention to decline the nomination should Rusk desire to run. The action of both of these men under these circumstances is so unusual that I feel constrained to quote it in full. Lamar wrote:

I have just received a letter from several distinguished gentlemen, our mutual friends inviting me [to] become a candidate for the next Presidency. As you have been spoken of frequently for the same high office I am anxious to see you before I give a final answer. It is important that harmony at all times should be preserved in our country and at the present period any violent contest for the Chief Magistry could not fail to be extremely prejudicial to the peace and prosperity of the country, but might prove fatal to its best hopes. I know that you as well as myself must deprecate these consequences, and with a view to avoid them, I think it all important that we should have a free and unreserved conference and by comparing our views come to some conclusion which whilst it may be satisfactory to ourselves will be most conducive to public interest. I shall be at my room at about 2 o'clock, when I hope it will be convenient for you to call upon me.

To this letter Rusk responded on the same day as follows:

Your note of this morning has been received informing me of a request having been made by several distinguished gentlemen to you to become a candidate for the Presidency of the Republic at the next election and desiring a free and unreserved conference between us on that subject before you answer their communication. I fully subscribe to the propriety of the course you suggest and

[37] *Lamar Papers*, No. 623. The Senators signing this were S. H. Everitt, J. S. Lester, I. W. Burton, Wm. H. Wharton, E. Raines, A. C. Horton, John Dunn, S. C. Robertson, D. Rowlett, G. W. Barnett, and Edward T. Branch.

am proud to say that it gives me another proof in addition to the many I have already had of your patriotism and desire to promote the harmony and good of the country. From a press of business it will not be in my power to call at your room at 2 o'clock this evening but I hope you will not on my account have any hesitancy in giving your consent to the request alluded to as there is no design or desire on my part to have my name before the people for any office whatever. As the representative of my country I feel bound to discharge to the best of my abilities the duties of the Station; but beyond this my private affairs and domestic obligations so long neglected imperiously demand my attention and will not permit me to think of public life beyond the discharge of those military obligations in the hour of danger which I hold paramount to all other considerations. But I shall be pleased, dear sir, to see your name before the people for the office of Chief Magistrate and shall be happy to sustain you in your labors for the welfare of the country to which we are both under many obligations for *confidence reposed and honors conferred.*

After the receipt of this letter, Lamar replied to the Senators accepting their suggestion that he stand for the presidency. He expressed his gratitude that the request came from those over whom he had presided in the Senate. "I can only say in answer," he said, "that I came to this country for the sole purpose of subserving the great objects of the revolution. Until those objects are fully achieved, I do not feel myself at liberty to decline the duties of any station, however high or humble to which the voice of my fellow citizens may call me."[38]

The nomination of Lamar by the Senate was followed by public meetings which nominated him throughout the Republic. The first of these was at Richmond, his home town, on April 17, 1838, when he and Burnet were nominated. On April 21, a meeting at Columbia took similar action. On April 23, a large public meeting in Galveston nominated Lamar. A large gathering met in the Hall of the House of Representatives in Houston on May 19, and after much oratory adopted resolutions favoring the election of Lamar to the presidency. These nominations were all from west of the Trinity. On May 10 a public meeting at San Augustine, in the extreme east, nominated Lamar and Joseph Rowe.[39] The opposition was represented by the candidacy of Peter W. Grayson, who had been Attorney-General in Burnet's cabinet and

[38]*Lamar Papers*, No. 631; *Telegraph and Texas Register*, June 2, 1838.
[39]*Telegraph and Texas Register*, April 25, May 2, June 2, 1838.

later commissioner to the United States; James Collingsworth, the first chief-justice of the Supreme Court, and Robert Wilson.

The campaign abounded in personalities. Lamar was accused of getting more than his legal share of public land,[40] which was denied by his friends. He was accused of being ineligible for the presidency, not having been a citizen for three years. In reply to this, he brought out affidavits from men showing that he had made a public address at Washington in the summer of 1835 in which he announced his purpose of becoming a citizen of Texas. He stated, also, that it was strange that after the public service he had performed the question of his eligibility should come up.[41] The Galveston *Civilian,* which was especially bitter against Lamar, claimed that he was afflicted with partial insanity. To this the *Telegraph and Texas Register* replied that "we sincerely regret that his disorder is not contagious, in order that the country might reap some benefit from it even before election."[42] An effort was made to turn the election along sectional lines, and Lamar, the candidate of the West, was constantly urged by his friends in the East to concentrate his campaign in that section.

The election was to be held on September 3. Before that time both of Lamar's principal opponents had committed suicide, Grayson by shooting himself at Bean's Station, Tennessee, and Collingsworth by drowning in Galveston Bay. It seems evident that Lamar would have been elected by an overwhelming majority had his opponents lived and continued in the race. There was some effort made to turn all the opposition to Collingsworth after the death of Grayson on July 9, but with little success. The death of Collingsworth shortly after that of Grayson made any opposition hopeless. Wilson had never been considered seriously in the race, and the election resulted in his receiving only 252 votes, while Lamar received 6,995.[43] The only real contest was for Vice-President, and D. G. Burnet, on the Lamar ticket, was elected by a majority of 776 votes over the combined votes of A. C. Horton and Joseph Rowe.

(*Continued.*)

[40]Quoted from the Galveston *Civilian,* in *Telegraph and Texas Register,* August 4, 1838.

[41]*Lamar Papers,* No. 746; *Telegraph and Texas Register,* June 30, 1838.

[42]*Telegraph and Texas Register,* June 30, 1838.

[43]Thrall, *Pictorial History of Texas,* 300; Bancroft, *North Mexican States and Texas,* II, 313; Yoakum, *History of Texas,* II, 245.

JAMES W. FANNIN, JR., IN THE TEXAS REVOLUTION

RUBY CUMBY SMITH

Chapter III

FANNIN AND THE MATAMOROS EXPEDITION

1. *The Inauguration of the Expedition and the Quarrel Between the Governor and the Council*

Before noticing in detail Fannin's connection with the Matamoros Expedition, let us turn to the workings of the Provisional Government of Texas and consider how this expedition was inaugurated, and how because of it the Provisional Government failed completely and could not provide for the defence of Texas in the Campaign of 1836.[35]

Ever since the beginning of the Revolution, the Matamoros Expedition had had many advocates, especially in the Council of the Provisional Government. It will be recalled that the Consultation on adjourning had approved the plan for such an expedition,[36] and after the adjournment of the Consultation, the Council had urged it as the natural step, if the declarations of that body to restore the Constitution of 1824 and their promise to co-operate with the Mexican Liberals in an effort to overthrow the Centralists were to be regarded as sincere. P. Dimit, the commandant at Goliad, was one of the first to urge the government to consider the matter. In a letter[37] dated December 2, he says:

> If this [the expedition to Matamoros] or some other movement like this, is not adopted, which will enable us to hurl the thunder back in the very atmosphere of the enemy, drag *him,* and with him the war out of Texas, her resources and her blood must continue to flow, from the centre to the frontier. If this is done, the paralyzing effects, and the immediate calamities of war, will be greatly mitigated. The revenue of the port of Matamoros, now applied to support an unprovoked, unnatural, and unjust war, *against us,* would then be used in defraying the expense of the war, *against him.* . . .

[35]This section is mainly the summary of an article by W. Roy Smith, "The Quarrel between Governor Smith and the Council of the Provisional Government of Texas," in The Quarterly, V, 269-346.

[36]Smith, as cited, The Quarterly, V, 288.

[37]Foote, *Texas and the Texans,* II, 184-5.

Again, the adoption and *impetuous* execution of the plan here proposed, might enable us to barter the war off, for a speedy and honorable peace. The enemy, when he found it visited upon his head, and saw the lightning at a distance, might adopt effectual measures to protect himself against its consuming progress, by offering a compromise, on our own terms. And should he not do this, the presence of a victorious force in Matamoros, having General Zavala for a nominal leader, and a counter-revolutionizing flag, the liberal of all classes would immediately join us, the neutral would gather confidence, both in themselves and us, and the parasites of centralism in that section, would be effectually panic-struck and paralyzed. In this way, a respectable army might be immediately organized here, principally of materials to commence active operations on the interior.

The plan for the expedition had been warmly sanctioned by the volunteers around Bexar. Indeed, Yoakum says it originated there because of the representations of Dr. James Grant,[38] who planned it with the hope of obtaining aid of the Mexican Liberals. A letter of Grant's, widely published, represented that Acapulco, Guadalaxara, and Puebla, as well as Valladolid, Oajaca, Zacatecas, and Durango could be counted on in general as being opposed to Santa Anna, that Tamaulipas, and Nuevo Leon would rise the moment an attack was made on Matamoros, and that San Luis Potosi would instantly follow. Moreover, Yoakum states,[39] that on November 29, before the idea of storming Bexar got a hold in camp, Major Morris of the New Orleans Greys, a company of volunteers recently arrived from the United States, informed Houston that about two hundred and twenty-five men had determined to set out the next morning from Bexar for Matamoros and the interior of Mexico. These men, he said, were nearly all from the United States. He further stated that they would be joined by one hundred and fifty more men, then on their way from the United States, and that in the end their force would consist of from 5,000 to 8,000 men, who were awaiting them; furthermore,

[38]Yoakum, *History of Texas*, II, 184-5.

Grant was a wealthy Scotchman owning extensive estates in Parras in Coahuila. In connection with Dr. J. C. Beales he had attempted to settle a colony of eight hundred families between the Nueces and the Rio Grande rivers. His colony had been abandoned in 1834. He was an active Federalist and had been a member of the legislature of Coahuila and Texas when that body was dispersed by Cos. He was opposed to a declaration of independence by the Texans, and possibly for selfish reasons wished Texas to remain a part of Mexico.

[39]Yoakum, *History of Texas*, II, 23.

that if they were disappointed in marching to Matamoros, they would return to the United States. Concerning these two letters, Johnson says[40] that Dr. Grant's letter was a private one, which got into print, and that nothing of the contents of Morris's letter was publicly known in the army before Bexar.

Be that as it may, certainly after the successful storming of Bexar and the enforced retreat of Cos (December 5-15), the Matamoros fever seized the volunteers in earnest, and the Matamoros Expedition seemed more feasible than ever. The majority of these soldiers were from the United States, and other volunteers from the United States were constantly coming in, eager to fight the Mexicans. Since there were no Mexicans in Texas to fight, and since no plan of campaign had as yet been definitely arranged, it seemed all out of reason to these undisciplined fighters to sit idly in camp for a month or two, waiting for a Mexican army to attack them before they should have the opportunity of fighting. Hence it was that the Matamoros Expedition, which would give them immediate fighting and something to look forward to, appealed to them so strongly.

The objects of this expedition have been variously stated, but perhaps no one has expressed them so concisely as has John Sowers Brooks,[41] Adjutant of the Georgia Volunteers, when the expedition was actually under way. He says:

> The objects of this expedition appear to me to be not a systematic invasion of Mexico, but primarily to give employment to the volunteers and lastly to secure, if practicable, a foothold in Mexico, to carry the war out of Texas and to sustain ourselves

[40]His statement is copied in Wooten (editor), *A Comprehensive History of Texas*, I, 195-6.

[41]John Sowers Brooks was born in Virginia in 1814. He had served in the United States Marine Corps for eleven months before coming to Texas to fight in the Revolution. Shortly after landing at Velasco, December 20, 1835, he was made adjutant of the Georgia Battalion of Permanent Volunteers, and accompanied that battalion when it started from Velasco under Fannin to undertake the Matamoros Expedition. The expedition got no further than Goliad, and Brooks was there during the trying six weeks the volunteers held that fort. In February, 1836, he resigned his position as adjutant and became aide to Fannin. He was also chief engineer, and had charge of the ammunition and artillery. His letters covering the dates December 23, 1835,-March 10, 1836, published in THE QUARTERLY, IX, 157-209, are valuable in that they give us an accurate contemporary picture of the ill-fated Matamoros Expedition.

upon the enemies means until a more formidable and better concerted plan of invasion can be arranged.[42]

Practically all the military leaders had favored the Matamoros Expedition when it was first proposed. It will be recalled that the report of the committee recommending the expedition to the Consultation declared that Austin thought that such an expedition would cripple the enemy and distract his movements. Down to the eve of his departure to the United States, Austin, it seems, took the expedition as a matter of course. In a letter written on December 22, 1835, to the Council, he, however, expressed himself as opposed to Texas sending an invading force against Matamoros except in the capacity of auxiliary troops, so as to keep the Federalist party from turning against the Texans. "General Mexia," he says, "ought to have commanded the expedition against Matamoros and only waited to be asked by the Provisional Government to do so."[43]

Governor Smith and General Houston at first approved the plan of the expedition, and on December 17, 1835, Houston, in obedience to the orders of Governor Smith, had directed James Bowie, in case he could obtain the services of a sufficient number of men for the purpose, to proceed to Matamoros, reduce the place, and retain possession until further orders.[44] There was some delay, however, in Bowie's receiving this order, and its provisions were not carried out.

Meanwhile, the Council had warmly been favoring the expedition and making their own plans with regard to it. Having been advised[45] by Governor Smith to keep the volunteers actively and profitably employed, they determined to use these troops in effecting the Matamoros Expedition. As a preliminary step, they began to ascertain the views of many of the leading volunteer officers concerning the proposed expedition. In the Lamar Papers there are preserved the views of two of these officers, Travis and Frank W. Johnson. In a private letter to the lieutenant-governor, in which he declined the appointment of major in the artillery and recommended Frank W. Johnson for the place, Travis declared

[42]The Quarterly, IX, 175.

[43]Brown *History of Texas*, I, 463-5.

[44]Houston to Bowie, Yoakum, *History of Texas*, II, 454.

[45]Broadsides, *Address to the People of Texas by the Council*, January 12, 1836. *Lamar Papers*.

that he intended to join the expedition if one were gotten up, unless prohibited by superior orders, adding, however, that he would execute to the best of his ability any command which the Council might see proper to confer on him.[46]

Frank W. Johnson[47] wrote that he had long been interested in such an expedition, but pointed out the necessity of having at least five hundred men to undertake it. In the meantime, he thought that the necessary preparations, as regards stores, ammunition, artillery, etc., could be made. Matamoros, he said, had only two hundred soldiers, very little inclined to support the cause of centralism or to oppose the favorers of federalism. A premature movement to throw off the yoke had already been attempted by the people there; big parties of enemies were reported at Laredo and Rio Grande; and now that the present intentions of the Council were known, a large number of Mexican Federals would join the Texans. "The movement," he declared,

> is appropriate and should not be lost, and you may rely on my joining it with every soldier that can be spared. . . . The discipline already established in the volunteer army will render us doubly formidable, and if we are not interfered with by the officers of the regular army (according to the provisions of the Gen'l Council in the decree establishing the regular army) you can rely on all going well and to your wishes.
>
> Volunteers arriving from the U. S. declare that they will immediately quit us if we pretend to independence, as they consider the war in that case interminable. They also are in favor of offensive measures.

On the same day that Johnson wrote this letter, the committee on military affairs in the council, having had under consideration information in another letter[48] of Johnson's to the effect that the centralists were trying to unite all parties against the Texans by saying that they were "fighting for independence instead of for liberty and the Constitution," as well as other information regarding the plans of the Mexican army, urged Governor Smith to undertake a speedy concentration of troops on the frontier. They recommended that J. W. Fannin be ordered to the west to take command of the regular and auxiliary troops; that Travis be ordered to the frontier

[46]Travis to Robinson, December 17, 1835. *Lamar Papers.*

[47]Johnson to Robinson, December 25, 1835. *Lamar Papers.*

[48]THE QUARTERLY, V, 313.

with all the troops he could bring under his command; and that general defensive or offensive operations be begun at once, either from Copano or San Patricio. They further resolved that no officer of the regular army of Texas should receive pay until he was in actual service under the orders of the commander-in-chief.

In thus advising the commander-in-chief to undertake the Matamoros Expedition, the Council acted according to its rights;[49] but Houston hesitated about undertaking the expedition, both because of the necessity of his occupying a central position, and because his presence was unnecessary "where a subordinate could discharge every duty."

Though it is undoubtedly true that Houston hesitated for the reasons above stated; yet for still other reasons he was loath to go. The fact is that the feeling for independence had begun to seize strongly on the people of Texas,[50] and since the success of the Matamoros Expedition would bind Texas closer to Mexico, Houston was unwilling to obey the wishes of the Council in the matter.

While Houston was hesitating about obeying the orders of the Council concerning the expedition, Johnson came from Bexar to San Felipe, and on January 3 reported to the Council that, under the authority of a letter directed to his predecessor, General Burleson, he had already ordered the expedition, and that the troops had chosen him to lead it. He now asked the Council to grant him authority to make the expedition,—which they promptly did, taking steps also to purchase two vessels, the *William Robbins* and the *Invincible,* to co-operate with him.

On January 6, however, Johnson declined to take part in the expedition, presumably because of the violent opposition of Governor Smith. The next day he again changed his mind and determined to make it.

Meanwhile, both Fannin's and Johnson's views on the subject having been obtained, in consequence of Johnson's declining to act as agent, Fannin was appointed. His powers were extensive. He was to raise, collect, and concentrate at or as near the Port of Copano as convenience or safety would admit all volunteer troops willing to enter into an expedition against Matamoros, wherever they might be found, at the mouth of the Brazos, the city of Bexar,

[49]The Quarterly, V, 315.

[50]Yoakum, *History of Texas,* II, 47.

or elsewhere, whether in Texas or arriving in Texas; and when the volunteers were thus collected and concentrated, he was to report either to the commanding general, or to the Governor and Council, as he might prefer, agreeably to the seventh section of the ordinance and decree of December 5, 1836, which provided for the raising of an auxiliary corps to the regular army; and he was to continue to report from time to time as the expedition progressed. He was authorized to call upon Thomas F. McKinney, the general agent of the commissary department, or any public agent, storekeeper, or supplying officer of the government, for munitions of war, provisions and transportation; to negotiate a loan of three thousand dollars at not more than ten per cent interest; to hold an election for a commander and other officers, agreeably to the law regulating the auxiliary and volunteer corps. After he had concentrated the troops, he was authorized to make a descent upon Matamoros, if he deemed it practicable, to take Matamoros, or such other point or points or places, as he thought proper; and he was empowered to appoint agents as he thought necessary to aid in the accomplishment of his object, and to delegate to such agents powers not inconsistent with his own powers.[51]

The Council, now learning of Johnson's determination to make the expedition, again conferred the authority on him, but did not take away Fannin's authority. Houston claimed that he was being superseded in command, and Governor Smith, anxious perhaps to forestall the Council, ordered him to the front, for which place he left on January 8, 1836.

The culmination of the quarrel between the Governor and Council was brought on by a report made to Houston by Lieutenant Colonel Neill, whom Johnson had left in charge of Bexar. This report told of the miserable condition of the garrison at that place, stating that the volunteers on leaving had taken with them all available supplies. Houston sent the report to Governor Smith, who, on reading it, was beside himself with rage. On January 10, he sent a message to the Council which contained the most violent language, declaring that the condition of the garrison at Bexar called forth the indignant feelings of every honest man. He characterized the Matamoros Expedition as a predatory expedition, disorganizing in its nature and ruinous in its effects. He

[51]The Quarterly, V, 316-322.

referred to a portion of the Council as "Judases," "scoundrels," "wolves," and "parracides," stating that a convention had been called that would afford a sovereign remedy to their vile machinations. He likewise declared that unless they made to the world the necessary acknowledgment of their error, "furnishing expenses to give circulation and publicity" to the same, that their body would be adjourned till March 1, and that he would continue to discharge his duties as commander-in-chief of the army and navy and see that the laws were executed.

The Council next day adopted resolutions to the effect that they were the "immediate representatives of a sovereign people" and that they would sustain the dignity of the government. They then deposed the Governor, and preferred certain charges and specifications against him. Later in the day, they swore in Lieutenant Governor Robinson as "acting governor of Texas."

Thus the breach between the Governor and Council was complete. Robinson sent in his first message on January 14, strongly urging the prosecution of the war against the Centralists and the immediate reduction of Matamoros.[52]

But just at this juncture some of the Council members were anxious to join the army, and foreseeing that their body would be left without a quorum, they provided for two standing committees to act in place of the Council, and they likewise conferred certain powers on the acting governor in case no quorum should be present. The committees were the Finance Committee, and the Advisory Committee to assist the governor in his duties. After January 17 there was really no quorum present, and from that time till March 1, Texas was left in "doubt and uncertainty as to the existence of any legal and responsible authority or any acknowledged source of power." Houston still addressed his official communications to Governor Smith and the garrison at Bexar sided with Smith, but the volunteers under Fannin and Johnson sided mainly with the Council. Each faction surfeited the public with explanations, but the people in general took but little interest in the matter.[53] Even the most tragic appeals of Fannin subsequently failed to rouse them, and the Mexicans were upon them before they realized their situation.

[52]The Quarterly, V, 321-334.

[53]The Quarterly, V, 335.

Thus was the Matamoros Expedition the occasion of the failure of the Provisional Government of Texas, and thus because of it was the defence of Texas paralyzed. Though it is true that the action of Governor Smith and General Houston broke up the expedition, yet the western outposts were not abandoned, and it required little military skill on the part of the Mexicans to capture them. Commenting on the Matamoros Expedition, Garrison says:[54]

What the result of a little more energy directed that way would have been remains among the untried issues. There are some who believe that it would have been effective only in dividing and weakening the Texas forces; but others are of the opinion that if the invading Mexicans had been met with the whole strength of Texas and with the spirit afterwards displayed in the Alamo, they would never have reached the Anglo-American settlements after all.

2. *The First Month of the Matamoros Expedition*

Fannin proceeded to his work as agent for the Provisionel Government with energy and enthusiasm. On January 9, he published in the *Telegraph and Texas Register* an appeal for all volunteers who felt disposed to keep the war out of Texas and cripple the resources of the enemy at home to rendezvous at San Patricio between the 24th and the 27th of January and to report to the officer in charge.

On January 10, Johnson issued a like proclamation, urging "all friends of freedom of whatever name or nation" to join him in marching under the Flag of 1824. The first attack he declared would be on Matamoros, and it was expected that the whole volunteer army of Texas would take up the line of march from San Patricio between the 25th and 30th of January.

Commenting on the fact that the command of the expedition had been given to two officers instead of to one, Smith says:[55]

Two ambitious officers, neither of whom was subordinate to the other, could hardly be expected to act with that harmony necessary to insure the success of such an undertaking. The expedition may, in a manner, then, be said to have been a failure from the very beginning.

[54]Garrison, *Texas*, 204.

[55]The Quarterly, V, 321.

Be that as it may; yet from the general tone of Johnson's letters preserved in the Lamar Papers, as well as from later statements[56] of Johnson and of Reuben R. Brown, a survivor of the expedition, it seems that Fannin and Johnson had, at least, some friendly understanding. Fannin, in his letter to Robinson and the Council on February 7, 1836, referred to the division under Johnson as the "Advance Division of the Volunteer Army."

Leaving out of the discussion the question of the wisdom of attempting the expedition, it is doubtful whether, starting when they did, the volunteers would ever have succeeded in taking Matamoros, not only because of the early appearance in that region of the Mexican general Urrea, who, fully informed of their movements, possessed sufficient forces and equipment to block any progress they might make, but also because of the active personal opposition of General Houston among them.

On January 15, 1836, only eight days after Fannin was authorized to undertake the expedition, Santa Anna at his place of rendezvous at Saltillo,[57] had notice of it, and at once dispatched General Urrea to Matomoros to begin operations along the coast to Lipantitlan.[58] Urrea found a decided sentiment for the Constitution of 1824 in Tamaulipas, but his presence in that province lessened the ardor of the Mexicans for it.[59] His force consisted of both cavalry and infantry, and it is estimated at from 500 to a thousand.[60] His troops reached Matamoros on January 31, where they remained till February 17.

In the meantime the volunteers had begun assembling in the neighborhood of Copano, the rendezvous proposed by Houston for

[56]Baker, *Texas Scrap Book*, 81; Brown, *History of Texas*, I, 545.

[57]Urrea, *Diario*, 6.

[58]Lipantitlan was a small fort on the Nueces, which had been captured by the Texan volunteers under Captain Westover early in November, 1835, shortly after the capture of Goliad by Dimit.—Linn, John J., *Reminiscences of Fifty Years in Texas*, 118-22.

[59]*Diario*, 7. He says: "The inhabitants of the northern villages from Matamoros as far as Guerrero showed themselves decidedly in favor of the Constitution of 1824, and believing that the colonies sympathized with them, they kept in touch with them and were ready to take up arms and join the cause. I took every opportunity to keep them peaceable, giving them to understand what the real intentions of these colonists were. So I managed to keep them quiet."

[60]Urrea states in his *Diario* that his force numbered 550 men, and that he left 200 of these in Matamoros to march later. *Diario*, 7. Potter declares that he counted from 900 to 1000 in Urrea's division. Linn, John, J., *Reminiscences of Fifty Years in Texas*, 129.

the descent on Matamoros. At Goliad there had been stationed a small company of regulars since Dimit seized that post in October, 1835. Colonel Grant, who with two hundred volunteers left San Antonio on December 30, 1835,[61] reached Goliad a week later. There he experienced some trouble in getting supplies from Dimit, who had "hoisted the flag of independence";[62] but Dimit finally gave him provisions for a three months' campaign. General Houston, accompanied by Bowie, G. W. Hockley and other officers, arriving a few days later, a general parade was ordered for the purpose of reorganizing the troops and explaining to them the orders of the Provisional Government. Houston's address completely defeated the object of Grant, and next day Grant's troops marched with Houston to Refugio, where Houston went for the purpose of dissuading Colonel Ward's men from the expedition.[63]

The arrival of Johnson at Refugio on January 20 with the resolutions of the General Council authorizing the expedition greatly angered Houston, and he at once addressed the soldiers there, denouncing the expedition.[64] He recognized in it the intention to supersede him,[65] and believing that if he remained with the army the evils which might befall the expedition would be ascribed to him, he immediately returned to Washington, and on January 28 obtained a furlough from Governor Smith till March 1.

Colonel Ward's men had not arrived at Refugio, but Houston's speech made such a profound impression on the volunteers who were there that many of them abandoned the expedition entirely, leaving Johnson and Grant with only from 60 to 70 men.[66] These

[61]Statement of Johnson to Council, January 3.

[62]Statement of Captain W. G. Cooke furnished Lamar in 1840. *Lamar Papers.*

[63]Houston to Smith, January 17, 1836, Brown, *History of Texas*, I, 527. Colonel Ward, it will be remembered, was colonel of the Georgia volunteers whom Fannin had welcomed into Texas in December, 1835. Ward was later major of the Georgia Battalion of Permanent Volunteers, when they were stationed at Goliad.

[64]Baker, *Texas Scrap Book*, 81. Houston declared that the expedition was both unwise and unauthorized.

[65]Houston to Smith, January 30, 1836. Yoakum, *History of Texas*, I, 460-470.

[66]Brown, *History of Texas*, I, 517, says 64. Urrea states that he killed 16 at San Patricio and captured 24 and that Grant's men numbered in all 41 killed and six captured, making 87 with Johnson and Grant. *Diario*, 9-10. Captain Cooke's statement is that they did not have over 75.

retired to San Patricio, where they remained till Fannin arrived at Refugio.

While these efforts were being directed against the expedition, Fannin was proceeding to his undertaking with all possible haste. On January 21, 1836, only three days after the schedule time as announced in his call to the volunteers,[67] he wrote the governor and council that if the weather permitted their crossing the bar, he hoped to embark about two hundred and fifty of the Georgia Battalion of Permanent Volunteers at Velasco for Copano.[68] These, he reported, were only a part of his force, for at Matagorda there were "near 100" more under Captain Shakleford.[69] He had sent forward officers to get teams and carts to transport the camp equipage to the place of rendezvous at San Patricio, and now he urged the sending of provisions and volunteers to Copano. He also called attention to the fact that Galveston Island and Pass Caballo should be fortified with the cannon already on hand, and said that volunteers for this express purpose should be raised, declaring that it was folly to expect such work to be accomplished by regulars,[70] and adding: "You may rely upon it that we will not have 1000 of them in Texas by May—and if this expedition prospers as contemplated, you need not desire it."

In this letter he also expressed a willingness to serve under General Houston, if that officer would obey the wishes of the Council.

The expedition started on January 24,[71] and on the fourth day of February debarked at Copano. The next day they marched to Refugio.

[67]Fannin had trouble in securing boats; but finally engaged the *Columbus* and the *Flora*. He himself went on the *Invincible*.

[68]The number is not exact. In his letter of January 28, he stated that he had about 200.

[69]Fannin to the Governor and Council, January 21, 1836. *Lamar Papers*.

Shackleford was a physician from Courtland, Alabama, who collected a company of about sixty men, and came to Texas to fight in the Revolution. He landed at Matagorda in the latter part of January, 1836, but did not go by boat to Copano with Fannin, as Fannin expected. Instead, he went overland to Goliad, by the way of Texana and Victoria, reaching Goliad on February 12. He surrendered with the other volunteers on the retreat from Goliad, but his life was spared because he was a physician. He had a son, however, who was massacred.

[70]The number of "regulars" at no time during the Revolution possibly exceeded one hundred men. THE QUARTERLY, IX, 235.

[71]J. S. Brooks to Mary Ann Brooks, March 4, 1836. THE QUARTERLY, IX, 3, 187.

On February 4, Fannin received most encouraging news from Johnson, who at San Patricio was awaiting his arrival to take up the line of march to the Rio Grande, regarding the troubles Santa Anna was experiencing in "centralizing" Mexico and the assistance which the Texans might expect from the Liberals. This news, which Fannin reported to the government, was to the effect that Colonel Gonzales had 240 men, Captain Placedore 47[72] and "some other Mexican officer some considerable force" all in wait for his advance on this side of the Rio Grande. In his letter to the government, Fannin also enclosed an extract from Johnson's letter,[73] which shows so clearly what the leaders of the expedition were relying on that it is not untimely to copy it in full. This extract also shows that Johnson and Fannin were co-operating.

By advices from Monterey of the 18 ult and from Matamoros of the 20th ult, I learn that Santa Anna was in Saltillo with 2300 men, and a good train of artillery—that on his imprudently advancing so far, the states of Zacatecas and Guadalajara, en mass, had taken to arms in his rear, and that the movement agst the Central Govt. was likely to become general throughout the nation. The troops which occupied Laredo have retired to Saltillo and Monclova—those at Rio Grande (town) tis supposed will likewise make a retrograde movement, and their number is by no means important in any case— Disaffection has crept into the arch tyrant's ranks— 20 to 30 men desert daily and tho Matamoros is almost without a garrison, he is afraid to send off assistance, lest they should revolt on leaving his camp. Our friends, the liberals of Tamaulipas, are arming in all quarters, and will form a most respectable addition to our force.

Everything looks most propitious, and unless our headstrong countrymen by a premature Declaration of Independence rouse the jealousy of the Federal party, victory is secured, and by this blow we may calculate overthrowing the Tyrant Santa Anna and his minions. The forces you have and those here and about 50 under Gonzales and Canales—together with the almost certain assistance we will receive from all parts of Tamaulipas and Nuevo Leon will prove sufficient to give the most important blow that has ever been struck in the Republic—and place Texas in a situation to dictate to the neighboring states. A small detachment of my division (20 men) under Colonel Grant took on the night of the 30 ult Capt. Rodriguez—this company (28 men) with all

[72]Fannin meant Placedo Benivides, alcalde of Victoria.

[73]Johnson to Fannin, February 2. *Lamar Papers.*

their horses (50) arms, and without the loss of a man—which leaves the road clear from Nueces to Rio Grande.

Matamoros is poorly supplied with troops—the friends are in power—I have reason to believe, that if a quick movement is made, not a shot will be fired—

Fannin also declared in his letter of February 4: "I shall proceed west and must beg of you to order the naval force to cooperate with me before Matamoros, between the 20 and 28. It is useless to urge the necessity, it is too apparent to require a second word."

On February 4, Fannin also made a list of his expenses to date. It is headed "Mend. of Dfts drawn on Provt Govt of Tex. for public service, for concentrating volunteers, etc., as pr. ordenance 7th Jany 1836." It is carefully itemized and shows that in addition to $2,000 received by Johnson, Fannin himself had spent about $2,000 in transporting the troops to Copano and in "pressing" supplies.[74]

[74]*Lamar Papers.*

"23d Jany 3000$ McKinney & Williams—for cash by them advanced at 10 prct pr anu $2000 recd by Col F W Johnson at San Felipe but all vouched for by me—

"23d Jany 1000 Schr Columbus & owners for freight & transportation of Volunteers from Velasco to Copano.

"23d Jany 30$ steamer Laura for towage of Flora over the Brazos Bar being part of the $500 charter for the run to Copano.

"3rd Feby $470 John Appleman, master of the sch Flora, for freight transportation of the volunteers to Copano.

"3rd Feby $446—Henry Foley, for Provisions pressed from Schr Flora.

"Independent of this I also pressed provisions belonging to Horton and Clements of Matagorda—a bill of which I forwd them—not placing any value on them. The bill will be [illegible]. I found the volunteers have not had a morsel of bread for two weeks also never had a public officer of the Govt. to attend to them—Under these circumstances I felt bound to provide the best way I could—and not knowing when another opportunity would offer—could not suffer the present to pass.

"4th Feby 1836.

"J. W. Fannin, Jr.
"Agt. Prot Govt."

In confirmation of the above memoranda, there are in the *Lamar Papers* copies of the invoices of the provisions pressed from the *Flora* and those consigned to Clements and Horton of Matagorda. There is also a receipt for $500 from John Appleman, master of the *Flora.*

"H & C [Horton & Clement] (Copy)

"Port of Copano Texas 1st Feby 1836

"I James W. Fannin Jr. Col Comt Artillery of the Regular Army of Texas and Agent of the Provisional Government of Texas do hereby testify that I have this day pressed and [taken] on board the Schr Flora Capt Appleman the following articles of Provisions for the use

Thus far even with the violent opposition of Governor Smith and of General Houston and with the delays attendant upon the transportation of the troops, the expedition had not fared badly; and the communications of its leaders are all hopeful. It is true that the expenses so far had been heavy. Besides the $2,000 which Johnson had received, Fannin himself had spent nearly $2,000 in getting the troops to Copano and in purchasing supplies, this amount being about $1,000 more than was originally granted for the expedition. Yet the volunteers were now in the neighborhood of San Patricio, and the distance of this rendezvous from Matamoros was about equal to twice that from Gonzales to San Antonio,

of the volunteers of the army of Texas with the marks as per margin
To wit
23 Bbls Flour
1 do Bread
1 Tierce Rice 696 lbs—
3 Sacks Corn—

[In margin:] A Shepherd

"The above goods are consigned to Horton & Clements Matagorda which I [refer] to the provisional Government for payment on the presentation of this voucher. *Freight paid by me.*

"Given under my hand and seal the day and year above letter.

Seal "J. W. Fanning
"Col Comt and
"Agent Prol Govt—Texas."

"Recd 3d Feby Forty two Dollars full for freight of these goods.
"John Appleman Master of Flora."

(Copy)

"Port of Copano Texas 1st Feby 1836

"I James W Fanning, Jr Col Comt Artillery of the Regular Army of Texas and Agent of the Provisional Government of Texas do hereby certify that I have this day pressed and taken on board the Schr Flora Capt Appleman the following goods for the use of the volunteer army of Texas under my command with the marks as per margins and belonging to H. Foley to wit

20 Bbls Flour	$19 per Bbl	$380
8 Bbls Potatoes	7 do	56
½ Pike log Brandy 70 galls	$3	210
		$646

"On the above I have given a dft for $200 at sight on Mess. McKinney and Williams [illegible] being the balance of Amt they are due me out of the $3000 receipted for to defray the expenses of the expedition against Matamoras authorized by the Genl Council of Texas and the remainder of $440 for the draft on the Provl Govt of Texas which when paid will be in full.

"Given under my hand and seal

"J. W. Fanning Jr.
"Col Comt and Agt Provl Govt.

"Recd 3rd Feby 1836 from J. W. Fannin Jr one draft $200 on Mc-

a journey which the volunteers had accomplished in eight or nine days. Fannin, it will be recalled, had asked for the co-operation of the navy before Matamoros between the 20th and 28th. He thus proposed to complete the journey in from sixteen to twenty days. The factor that he seems not to have taken into consideration—and indeed all Texas neglected it—was the active preparations of the Mexicans. Though they had had information of the approach of the Mexicans weeks ahead of time, yet in their calculations they did not actually expect them till April.[75]

It will be recalled that Johnson and Grant had retired to San Patricio till Fannin should arrive at Refugio. Fannin arrived there on February 5,[76] and Johnson, after conferring with him, determined to proceed west for the purpose of getting horses.[77] Grant went with him. When about twenty miles from the Sal Colorado, their commands divided; Grant and Johnson pushed ahead, and Johnson retired to San Patricio. It was this "advance division of the volunteer army" that reported the first news of the Mexican forces on the Rio Grande and the Rio Frio and their determination to attack Goliad and Bexar simultaneously. Much alarmed, Fannin enclosed this information in a letter to the Governor and Council, which reached San Felipe on February 11 or 12. His letter is an impassioned appeal to the Texans to awake from their lethargy and at once to prepare to meet the foe on the

Kinley and Williams and one draft for $446.00 on the Treasury of the Provl Govt of Texas in payt of the above

"Henry Foley"

"Copano 3d Feby 1836

"Recd payt J W Fannin Jr. Agt Provl Govt of Texas the sum of Five Hundred dollars for freight and transportation of troops from Quintana to this port—thirty dollars for Steamer Laura, towage over the Brazos Bar—and four hundred and seventy dollars by Dft at sight on the Provl Govt of Texas—

"Also recd the sum of Forty two dollars in cash for freight on Twenty three Bbls flour—1 Tierce Rice and 3 sacks corn consigned to Horton and Clements and A Shephard, Matagorda which was pressed for public service

"John Appleman
"Master Sch Flora"

$500 Charter
$42 Freight of Goods.

[75]Linn, John J., *Reminiscences of Fifty Years in Texas*, 124.

[76]John Sowers Brooks to Miss Mary Ann Brooks, March 4, 1836. THE QUARTERLY, IX, 187.

[77]Baker, *Texas Scrap Book*, 81.

threshold of Texas. Its high-flown style readily lent itself to publication. An extract from it reads:

Not the least doubt should any longer be entertained by any friends of Texas, of the designs of Santa Anna to overrun the country, and expel or exterminate every white man within its borders. May I be permitted to ask of them in sober earnestness, "Why halt ye between two opinions?" Your soil is again to be polluted by the footsteps of the hirelings of an unprincipled despot! Will the freemen of Texas calmly fold their arms and wait till the approach of their deadly enemy compels them to protect their own firesides?[78]

In this letter Fannin also complained of the apathy of the Texans and the poor condition of the soldiers. He urged the civic militia as well as volunteers and friends from the United States to turn out, declaring that the forces in the field were insufficient to keep the enemy from the heart of the country. In view of the impending danger, he had ordered the artillery to be brought from San Patricio and the troops to be concentrated at Goliad, and declared that he would so dispose his forces as to sustain Bexar and Goliad and keep up communication with the colonies. He hastily added a postscript written on February 8, stating that at an election held on the 7th, he had been chosen colonel and Ward lieutenant-colonel of the expedition.

At Refugio Fannin was joined on his march to Goliad by Ticknor's company of about forty men from Alabama, and his troops now numbered about 250. At Goliad he found a few regulars, and here, too, he was joined by Shackleford and other volunteers, mainly from Alabama, Kentucky, and Tennessee. S. T. Brown[79]

[78]Fannin to Robinson.

[79]Baker, *Texas Scrap Book*, 242-5.

Following is the summary of Brown, showing what disposition was made of each company:

	Company	Escaped	Detained	Killed
1.	Duval's (1st Regiment Volunteers)	1	5	38
2.	King's (Auxiliary Volunteers)	2	0	20
3.	Pettus' (San Antonio Grays)	2	5	32
4.	Bullock's (1st Regiment Tex. Volunteers)	9	2	26
5.	Winn's (1st Reg. Tex. Volunteers)	1	0	37
6.	Wadworth's (1st. Reg. Tex. Vols.)	4	1	20
7.	Ticknor's (1st. Reg. Tex. Vols.)	3	0	36
8.	Wyatte's (Louisville Vols.)	1	1	26
9.	Westover's (San Patricio Co. Reg. Army)	2	0	42
10.	Burke's (Mobile Grays)	3	3	28
11.	Shackelford's (Red Rovers)	3	3	52
12.	Horton's (Cavalry)	3	0	7

in 1839 estimated Fannin's total force to have been 475. Fannin, however, on February 28,[80] declared that his garrison consisted of about 420 men.

Thus we leave Fannin at the end of the first month, in spite of difficulties, fairly on the way to the accomplishment of his purpose, but with the knowledge that the Mexican Centralists had taken every precaution to block his expedition. His funds were exhausted, though he had considerable provisions; now for the lack of sufficient plan, discipline, and organization he was compelled to desist from his purpose, at least for a time. He had chosen Goliad for his headquarters, because he considered it advantageously located[81] as a depot of supplies and reinforcements. It commands Aransas and Matagorda Bays, and had at that time overland communication with the colonies through Victoria, being thirty miles from the latter place. Fannin located his own depot of supplies on Lavaca Bay at Cox's and Dimit's Points, possibly because these landings were between him and the enemy and also because they were less accessible to the enemy than was Copano.

3. The Second Month of the Expedition (February 9 to March 9)

The events of the second month indicate the speedy failure of the expedition. Thrown on his own resources and left to act for himself, Fannin seems to have realized his inability to command; and, thoroughly convinced that help need not be expected from the Mexicans and that his force was too small to meet the large Mexican force now in the field, to have desired to retreat from Goliad. Advised not to make a retrograde movement,[82] he felt that there was nothing to do but await the approach of the Mexicans. His letters of this month picture the desperate condition in which he found himself. His belief that General Houston by giving up other considerations and devoting himself entirely to the military, would answer the present emergency; his pleadings for men, provisions, and ammunition; his knowledge that Santa Anna could regain by one week's work or even one day's work the advantage the Texans had so miraculously gained in the for-

[80]Fannin to Mims, February 28, 1836. *Lamar Papers.*

[81]John Sowers Brooks to Miss Mary Ann Brooks, February 24, 1836. THE QUARTERLY, IX, 178.

[82]Advisory Committee (D. C. Barrett, Chairman) to Fannin, February 15, 1835. *Lamar Papers.*

mer campaign; his advice with regard to repelling the Mexican invasion; the troubles he experienced with his men and with Mexican spies; and the uncertainty of his own position, are the subjects of his communications to the Governor and Council during this month of waiting.

It is well, however, before going into Fannin's experiences this month to notice the orders he received from the government and to tell of the destruction of Johnson's and Grant's forces, since these had a vital influence on his actions during this month. Though no quorum was present in the Council after January 17, it will be recalled that several committees had been appointed to act in the capacity of the Council in the absence of a quorum. It is evident from their communications that both the Advisory Committee of the Council and the acting governor himself were unwilling to give up the expedition and intended that Fannin should accomplish it. Uncertainty of communication prevented their getting exact knowledge of the Mexican movements, and lack of men, as well as inexperience in directing them, prevented their forming sensible plans to counteract these movements; yet in all their letters to Fannin during the month, the one thing always urged was the accomplishment of the expedition. They did not realize the nearness of the Mexican approach, and were over-sanguine regarding aid to be expected from the militia. They also expected aid from the United States.

Two letters were written by Acting Governor Robinson to Fannin on February 13. In one of these he promised that one-third the militia would be ordered to Fannin's support and that information of his situation would be sent to the United States. Fannin was given authority to act for himself; yet it was desired that he maintain Refugio if possible, as well as fortify and defend Bexar and Goliad. The Reserve Army, it was proposed, would occupy Gonzales and some point on the Lavaca. Fannin was advised not to risk too much in battle. The government possessed no money, he was told, yet all the means in their power would be placed at his disposal. In the second letter, from information received from San Antonio, Robinson expressed a belief that the enemy would not attack Bexar or Goliad, but would likely throw reinforcements into Matamoros. Therefore, Fannin was advised to keep in mind the object of the campaign and to dash

on Matamoros as soon as in his opinion it was prudent to do so.[83]

On February 15 the Advisory Committee of the Council declared that the advices from the interior were not of such a definite nature as to require a retrograde movement on the part of Colonel Fannin or any of the troops designed for the Matamoros Expedition, especially since the forces at Bexar had considerably increased and the militia and volunteers were directed to the western frontier. They believed that there were forces enough to maintain Bexar and Goliad independent of those first designed for the Matamoros Expedition; so they advised Colonel Fannin to maintain Copano and if possible San Patricio until the movements of the enemy were ascertained, "when circumstances must govern the movements of the commander, which if possible should be directed toward the accomplishment of the expedition."[84]

On February 22, this Advisory Committee, believing from the communication of Fannin of February 14 that Urrea was further off than anticipated and that the Texans would have time to organize and that Fannin would receive sufficient aid for his need, urged Robinson to press on Fannin the great necessity of a speedy march forward as soon as his force and circumstances would permit, in order to obtain the object of the expedition.

All these orders were given before the Council knew of the actual plan of the Mexican campaign. Fannin himself did not learn definitely of it until February 16, and at once he informed the Council of it; but that body adjourned on February 16,[85] and so did not issue any more orders to him. Yet Fannin felt himself bound to follow the last order received. Nothing more clearly indicates Fannin's submission to authority than his determination to maintain his position at Goliad and not retreat till he received orders to abandon the place.

With regard to the forces of Johnson and Grant, it will be recalled that they had retired to San Patricio; and after conferring with Fannin, had gone to collect horses for the expedition. Together they had gone to within twenty or thirty miles of Sal Colorado, and had captured enough horses to mount perhaps one hundred men. Here, contrary to Johnson's judgment, they divided their forces, Grant and Morris going after more horses, while

[83]Robinson to Fannin, February 13, 1836. *Lamar Papers.*

[84]Signed Barrett, Thompson, Clements, and Patillo. *Lamar Papers.*

[85]Smith, Governor Smith and the Council, THE QUARTERLY, V, 335.

Johnson retired to San Patricio. It was their plan to unite and join Fannin in Goliad.[86] This was during the first week in February. R. R. Brown, a survivor of Grant's party, states that they had secured several hundred horses and had returned to San Patricio, and had started on another expedition about February 19. They again captured a considerable number of horses and were again returning to San Patricio.

Meanwhile, on February 27, Johnson's party at San Patricio had been unexpectedly attacked by Urrea, who, it will be remembered, had begun his march on February 17 from Matamoros to Lipantitlan. All were killed or captured except Johnson himself and four of his men. Johnson tells us quite frankly that he had no sentinels posted, because he considered himself secure with Grant's force in the rear, and because of the unusual cold. He, too, believed that the Mexicans were experiencing too much trouble to have advanced so far in their march on Texas.[87]

After destroying Johnson's force, Urrea began to look for Grant's men. On March 2, Grant passed Agua Dulce, about twenty miles from San Patricio, and was there attacked by the Mexicans under Urrea and Garay. Urrea says that forty-one were killed besides Grant and that six prisoners were taken, in addition to arms, ammunition, and horses. R. R. Brown, who wrote an account of the expedition, states that he was the sole survivor.

The destruction of this "advance division of the volunteer army" had a most depressing effect on the soldiers at Goliad, presaging the destruction of the entire force under Fannin. Writing of it, John Sowers Brooks says:[88] "The war is to be one of extermination. Each party seems to understand that no quarters are to be given or asked." Of Grant's destruction he wrote, "Up to this time they have uniformly killed every American they take, and it is reasonable, therefore, to infer that not one of that ill fated party survived."

Johnson's defeat was also one of the factors that prevented the Americans from carrying aid to Travis in the Alamo. Fannin's men were actually on their way to San Antonio, but were finding

[86]Johnson in Baker's *Texas Scrap Book*, 81.

[87]Johnson to Fannin, February 9, 1836. *Lamar Papers.*

[88]John Sowers Brooks to Mrs. A. H. Brooks, March 2, 1836. THE QUARTERLY, IX, 183.

it almost impossible to proceed for want of horses or oxen to transport their baggage and artillery. While debating on their situation, a messenger informed them of Johnson's defeat and of the Mexican intention to attack their depot of supplies, and this hastened their decision to return to Goliad and maintain that place, if possible.[89] They would likely have gone at the second appeal of Travis, but for the news of Grant's destruction.

Let us now return to Fannin. On February 9, Johnson sent the following letter to him and a copy of it to the government. This letter shows that Johnson had implicit faith, as well as possibly some tangible evidence, that the Mexicans around Matamoros would join him; and that if the expedition could have been speedily accomplished, when first planned, before the arrival of Urrea in the locality of Matamoros, it is difficult to conjecture what turn affairs might have taken. Vital Fernandez, mentioned in the letter, afterwards supplied Urrea with provisions for his march.

Feb. 9, 1836.

Dear Fannin,

It is of importance that you should be aware of the actual state of Matamoros more clearly than I can state in a public letter— to avoid mens names being bandied about while they are still in the power of the enemy. If a force from 3 to 400 men is sent against Matamoros, Vital Fernandez, who commands with 800 Taumalipas troops, will immediately join you— And the whole of the frontier towns will immediately follow

. . . [Illegible] for the purpose of acquiring essential information and not inciting suspicion has gone for a few days to Saltillo to visit Santa Ana. He will be back to Monterey ere this— Time is precious, and not a moment should be lost. Fear nothing for Bexar or Goliad or any point of Texas if an attack is made on Matamoros. The enemy will be compelled to change his plan of attack and we will maintain the war in his own territory with his own means with every advantage on our side. The true policy is to unite all your forces here, leaving a small force in Bexar and Goliad and proceed without delay into the interior.— with 150 or 200 men I will engage to keep Santa Anna's partizans in play from the town of Rio Grande to Requeta, cut off any reinforcements he may send to the coast and leave you this possession of Matamoras and even Tampico if necessary without his being able to send aid to those points. I can raise the whole country agst him and then the interior must move so as to compel him to a retrograde movement. Your Congress must be kept active

[89]John Sowers Brooks in THE QUARTERLY, IX, 183, 188, 191, 184, 189.

to prevent any reinforcements by sea and then you play a perfectly sure game. [Haste] in your present movements will prove the salvation of Texas. Delays at all times are dangerous but more particularly so in this movement. All depends upon you and I feel [that] you will warmly enter on your preparations and advance.

By a letter recd in Mier on the . . . [illegible] ult. from a person of credit in Saltillo it appears that movements in the state of Guadalajara and Zacetecas agst Santa Ana were likely to induce him to return incognito to the interior, leaving the command of the army to Gen'l Filisola. If disproving comes from collateral . . . [illegible] it appears possible, it will [amount] to a victory for us. Filisola is an old woman—Santa will not retire unless [everything] is in a serious uproar.[90]

How this letter affected Fannin we are unable to judge. Certainly nowhere in his letters do we find a suggestion that he ever intended to send any of his men to reinforce Johnson, or that he ever intended to advance on Matamoros, after he heard of Urrea's arrival in that region; and whatever faith he personally had in Mexican aid was dispelled soon after his arrival in Goliad. On February 16, he reported to the governor and council the information of the Mexican advance, as had been given him by Mr. Pantallion and Mr. Kuykendall, who had arrived in Goliad only five days from Matamoros. This information was accurate, and Fannin advised the council on measures he considered necessary to check the Mexican advance. With regard to the Mexicans, he said: "Go ahead—rely on yourselves, and the arms of your men. No aid need be expected from Mexicans."[91]

On arriving at Goliad, Fannin set about to make the place "tenable for a reasonable force." The situation of the mission on a rocky elevation overlooking the San Antonio River was regarded as the best in the region in which to make a stand against the Mexicans. The mission plant is located on a square covering about three and one-half acres, and was then enclosed by a stone wall from eight to ten feet high.[92] On the south and west of this enclosure were the barracks for the soldiers, and at the northeast corner was the church, a solid stone structure containing several small rooms in addition to the auditorium proper. The flat roof

[90]Johnson to Fannin, February 9, 1836. *Lamar Papers.*

[91]Fannin to Governor and Council, Foote II, 210-12.

[92]Bernard, Fannin at Goliad in Wooten's *A Comprehensive History of Texas,* I, 613.

of this church commanded a good view of the prairies for miles around.

The walls were strengthened: two trenches four feet apart were dug around them; and twelve small pieces of artillery placed to defend them.[93] A new block house was built, the old ones enlarged and strengthened, a masked battery was erected, and a covered way 200 yards long was made to connect the fort with the river, so as to secure water in case of emergency. "Only give us twenty days' time," wrote Fannin on February 14, "to perfect all the work laid out and then provisions for our stomachs, arms, and ammunitions, etc., and it will be no easy matter to take this place."[94]

The work was later completed, and the fort was named Fort Defiance. On March 10, while momentarily expecting the Mexican attack, John Sowers Brooks, the chief engineer, declared that with their 1,650 men it would be difficult for the Mexicans to drive the volunteers from this fort.[95]

Fannin at first was well supplied with provisions; but by the end of February they were getting scarce. On March 1, Fannin wrote that he had beef enough for twenty days, and hoped to have coffee, clothing, and some ammunition soon.[96] On March 2, John Sowers Brooks wrote: "We have nothing but fresh beef without salt—no bread for several days." Again on March 10 he wrote: "The Government furnishes us nothing,—not even ammunition."[97]

The trials and anxieties which Fannin experienced during this month were numerous, and the account of them forms the major part of his communications to the Governor and Council. In the first place, he had no little trouble in getting his men to do the work of strengthening the fort. This fact can hardly be attributed to lack of generalship on the part of Fannin, but is due rather to the independence of the volunteers, for records show that

[93]Accounts of Fannin (Foote, *Texas and the Texans*, II, 209-213); Bernard (Wooten, editor, *A Comprehensive History of Texas*, II, 615); and Brooks (THE QUARTERLY, IX, 179-194).

[94]Fannin to Robinson, February 14, 1835. Foote, *Texas and the Texans*, II, 209.

[95]John Sowers Brooks to A. H. Brooks in THE QUARTERLY, IX, 194.

[96]Fannin to the Governor and Council, Foote, II, 216.

[97]John Sowers Brooks to Mr. and Mrs. A. H. Brooks, THE QUARTERLY, IX, 185, 195.

the volunteers were frequently unruly.[98] On February 22, Fannin however, reported that his soldiers were well disciplined and doing good work.[99]

This insubordination of his soldiers appears to have been but a beginning of the troubles which Fannin was to experience at Goliad. The Mexican spies were an especial worry to him. Indeed, at one time, he caused an "old Priest" and thirteen soldiers to be made prisoners,[100] preparatory to sending them to the seat of government.[1] The old priest, he said, had almost unbounded influence, and he declared that there was more danger from these spies than from twenty times the number of armed soldiers. The Mexican citizens of Goliad, though they professed to be in sympathy with the cause of the revolution, in reality aided the Mexicans. Afraid of compromising themselves too far, they left Goliad and moved to some ranches about fifteen miles away. Here they gave so much trouble that Bernard and a party were sent to investigate their conduct, but no evidence could be secured against them.[2] Concerning them the Council, in true American fashion, advised Fannin:[3]

> With regard to the settlers on the Nueces we think that, situated as they are . . . great allowance should be made for, and much lenity should be shown them by the Commander, but would advise that those that have been actively employed against us, and are proved to be enemies, should be sent to the seat of government to be disposed of as the government may think proper.

But the insubordination of his soldiers and the treachery of the Mexicans were trivialities in comparison with the morbid reflec-

[98]See Thrall, *Pictorial History of Texas*, 259; Linn, *Reminiscences of Fifty Years in Texas*, 200.

[99]Fannin to the Governor and Council, Foote, *Texas and the Texans*, II, 214.

[100]Fannin to Robinson, February 21, 1836. Foote, *Texas and the Texans*, II, 212-213.

[1]Only two were actually sent, the Padre Valdez and his nephew. Captain Cooke accompanied these to the seat of government, and later became Assistant Inspector General under Houston. Captain Cooke's Manuscript, *Lamar Papers*.

[2]Bernard in Wooten's *Comprehensive History of Texas*, I, 617. The party was in command of Major Mitchell. Bernard was one of the physicians saved from the massacre at Goliad. In 1875 he published an account of the Matamoros Expedition which Linn, John J., in *Reminiscences of Fifty Years in Texas*, 148, declares to be the most correct and complete published.

[3]Letter of February 22. *Lamar Papers*.

tions to which Fannin himself became a prey. Almost from the time he reached Goliad, the helplessness of his situation seemed to have dawned on him; and his letters, though at times hopeful, containing plans of defence and reports of the Mexican approach, show in the main signs of discouragement, getting more and more desperate as the days went by. Brought face to face for the first time in his life with the problem of commanding soldiers, he realized his inability to do so.[4] He wished to know if his course were approved by the Governor and Council, thinking that in all probability he had erred because of inexperience. Though he recognized that he was a "better company officer than most men now in Texas and might do with Regulars, etc., for a Regiment," he declared that he was not qualified to command an army. For this reason he did not wish his name to be presented before the coming convention, but hoped to retire with the expiring Provisional Government. He also frequently expressed a desire to be permitted to rejoin his family, from whom he had been absent eighteen months. At one time, he declared that if General Houston would give up other considerations and devote himself entirely "to the military," he honestly believed that Houston would answer the present emergency.[5] At another time, he expressed a desire to see General Houston at the head of the army.[6] At still another time, however, he declared that he conscientiously believed that there were none fit for the office of commander in Texas.[7] Then he suggested his old plan of having the army officered by men from the United States. He advised the giving of the field offices to them at once, *"no matter who is left out."*

He entreated his countrymen to fly to arms; and proposed measures for the defence of Texas. For defending the country, he suggested the sending of 1,000 to 1,500 men both to Bexar and Goliad, 600 to 1,000 of this number to do fort duty and the others to do cavalry duty. He begged that they be organized before being sent, for he did not approve of elections in camp. The organization of the Reserve Army to be stationed on the Colorado and Guadalupe was specially urged, since if it were found advis-

[4]Letters of February 14 and February 22. Foote, *Texas and the Texans*, II, 206 and 214.

[5]Letter of February 14. Foote, *Texas and the Texans*, II, 206.

[6]Second letter of February 14. Foote, *Texas and the Texans*, II, 209.

[7]Letter of February 22. Foote, *Texas and the Texans*, II, 215.

able to fall back, a juncture might be effected, before cavalry and artillery, without much loss, and a stand made to check the further advance of the Mexicans; and again, because of his immense preparations, the enemy might purpose to pass around Goliad and Bexar and push the war into the heart of the country. After his attempt to carry aid to Travis in the Alamo and his determination to return to Goliad and make a stand there, he wrote the government:

In case immediate reinforcements are not sent to this place and Bexar, I would recommend that the Army of Reserve be concentrated near Gonzales and Victoria, for in that neighborhood must the enemy be met and driven back, if possible. We want your orders, and be assured, that they shall be obeyed to the letter.[8]

Fannin's position as defined by himself was a peculiar one. He said that during the General's furlough he knew that the command "naturally and of right" devolved on him, though he had not been officially notified of that fact either by the General or the Governor. The steps he had taken were those of prudence and for defence, allowable to a colonel of volunteers.[9] He begged for orders, and declared that he would obey even if sacrificed. On February 16, while suggesting steps for counteracting the Mexican advance, he asked permission either to take up his headquarters at Bexar, if General Houston did not return at the expiration of his furlough, or to be placed in the Reserve Army. Bexar, Guadalupe, and Colorado he considered the posts of danger and honor. On February 22, he declared that neither he nor the army had received information as to who should command the army during the absence of Houston. "It is my right," he says,

and in many respects, I have done so, when I was convinced the public weal required it. I well know that many men of influence view me with an envious eye, and either desire my situation or disgrace. The first they are welcome to—and many thanks for taking it off my hands. The second will be harder to effect. Will you allow me to say to you, and my friends of the old and new Convention, that I am not desirous of retaining the present, or receiving any other appointment in the army? I did not seek, in any manner, the one I now hold, and, you well know, had resolved

[8]Letter of February 29. Foote, *Texas and the Texans*, II, 226.
[9]Letter of February 14. Foote, *Texas and the Texans*, II, 209.

not to accept it—and but for Colonel Barnet and Clements, and Kerr, would have declined.[10]

On February 21, he wrote that he had no idea of retreating, nor ever had had; yet after Johnson's defeat he wrote at least two letters urging a retrograde movement.[11] He, however, did not feel himself qualified to order such a movement, but bound to maintain his present position till ordered to abandon it. On March 1, he wrote:

> I again repeat to you, that I consider myself bound to await your orders. I can not, in a military point of view, be considered now as acting commander-in-chief, as I have never received orders to that effect, nor has the army. Again, I received furlough to the first of April. Again, I am chosen Commander of this Regiment of Volunteers. Lastly, I have orders from you not to make a retrograde movement,[12] but to wait orders and reinforcements.

He then urged that his stores on Matagorda Bay be protected, that his name be erased from the list of officers or expectants for office, and that leave be granted him to bring off his brave volunteers in the best manner he might be able.

Fannin was keenly disappointed at the apathy of the Texans. "If this apathy continues," he wrote February 14, "we can never hope long for the aid of the volunteers; and I am certain we will not be worthy of the protecting Aegis of the Gods, and if we lose them both, then, indeed, is our chance hopeless." There were few Texans among his troops, a situation which he early reported, but which he said was at first somewhat relieved by the hope of speedy action. The volunteers manifested a "willingness, nay anxiety," to meet the Mexicans, but they also looked to the Texans to turn out *en masse* to aid them. Though assuring his soldiers that the Texans would respond to his appeals for aid, and though grateful to the Governor and Council for the steps they had taken to get the militia into the field, yet Fannin declared that he was scepti-

[10]Letter of February 22. Foote, *Texas and the Texans*, II, 214.

[11]Letters of February 28 (Manuscript), *Lamar Papers*, and March 1, Foote, *Texas and the Texans*, II, 216-18.

[12]Fannin felt that the order to retreat should come either from the commander-in-chief, or from the council under whose direction he had undertaken the expedition. At this time he refused to retreat, because he had been ordered by the Council to hold his position. Later, on receiving orders from Houston, he set about obyeing them but was prevented by circumstances.

cal regarding aid and looked for no considerable force in the field till those there were either sacrificed or forced to retreat.[13] This opinion he voiced in several of his communications.

His indignation at the apathy of the Texans is characteristically expressed in a desperate letter which he wrote to one of his friends a few days before his capture.[14] He says:

> I have not as much confidence in the people of Texas as I once had. They have been called on and entreated to fly to arms and to prevent what has now been done. I have but three citizens in the ranks and tho' I have called on them for six weeks, not one arrived, and no assistance in bringing me provisions, even Texas refused me. I feel too indignant to say more about them. If I was honorably out of their service, I would never re-enter it. But I must now play a bold game. I will go the whole hog. If I am lost, be the censure on the right head, and may my wife and my children and children's children curse the sluggards forever.

On February 25, Fannin received information that the Mexican army under Santa Anna was in sight of San Antonio and preparing to attack the place.[15] There had evidently been some discussion among the volunteers at Goliad as to the desirability of retiring to San Antonio, for on February 21, Ward "gave it as his opinion"[16] that a portion of the forces at Goliad should be sent to Bexar, since, from the information received, the enemy's largest force would be directed against that place. That they did not go at the request of Travis is due primarily to the lack of transportation facilities, as well as to the rapid advance of Urrea and the terror inspired by his destruction of the forces of Johnson and Grant. On the 26th, the volunteers started, leaving only one company of regulars to guard the fort.[17] Oxen were used for drawing the baggage and artillery, since no broken horses could be obtained. In crossing the river, three of their wagons broke down, and it was with the "utmost labor and personal hazard" that their four

[13]Letter of February 21. Foote, *Texas and the Texans*, II, 212.

[14]J. W. F. to Mr. Jos. Mims, February 28, 1836. *Lamar Papers*. This is the last of Fannin's letters in the *Lamar Papers*.

[15]John Sowers Brooks to Mary Ann Brooks, THE QUARTERLY, IX, 178.

[16]Letter of Ward's in *Lamar Papers*.

[17]John Sowers Brooks, THE QUARTERLY, IX, 183. Ayers in his *Journal* (*Lamar Papers*) says that all the force insisted upon going and that none would consent to stay "accept the regulars who wished to go but would obey orders under such circumstances."

cannon were conveyed across the river. The ammunition wagon was never brought across. Fannin's men were now in an embarrassing situation. To proceed, they would have to leave their luggage and artillery behind, and would have but little chance of obtaining provisions in the unsettled country between Goliad and San Antonio. Moreover, the evacuation of Goliad would leave the region from Bexar to the coast, as well as their own depots of supplies at "Dimmitt's Landing and Matagorda, perhaps all that were in Texas," exposed to the Mexicans. While debating on their situation, a messenger arrived telling them of the destruction of Johnson's forces, and they decided to return to Goliad and place the fort in a defensible condition.[18]

They now worked night and day getting ready for a Mexican attack; but for several days no information was received from the Mexicans.[19] Additional news was received meanwhile from Bexar, and John Sowers Brooks wrote:[20] "We will probably march tomorrow or the next day, if we can procure fresh oxen enough to transport our baggage and two six pounders." Two days later, however, they learned of the capture of Grant and his men; and though several letters were written from Goliad after this time, these contain no reference to the volunteers going to the relief of Bexar. Urrea recorded in his Diary,[21] however, that the Americans were trying to reach San Antonio and that he prepared to give them battle. Before leaving for San Antonio, Fannin sent the government a statement of his expenses for the month of February.[22] On the last sheet of his letter appears this statement:

[18]Account from the letters of John Sowers Brooks in THE QUARTERLY, IX, 178-94.

[19]The Mexicans were searching for Grant.

[20]March 2.

[21]Urrea, *Diario,* 10.

[22]The expense account referred to is not in Fannin's handwriting, though the final signature is. The account seems to ignore the January expenditures, which were nearly $2,000, and states the amount on hand to be $393.28. There is no record that Johnson ever accounted for any of the $2000 he received. Fannin, however, lists it as a part of his own expense. Allowing Fannin credit for this item, the amount on hand for February is approximately correct.

Following is the correspondence on the subject found in the *Lamar Papers:*

"Head Quarters Army of Texas.
"Fort Defiance Goliad Feby 25 1836

"To the Actg Gov & Council of the Provl. Govt. of Texas

"Herewith you have my account with the provisional Govt of expendi-

I am aware that my present move toward Bexar is any thing but a military one— The appeals of Cols Travis and Bowie cannot pass unnoticed—particularly by troops now in the field—sanguine, chivalrous volunteers— Much must be risked to relieve the be-

tures made under my authority as Agent. You also have a list of drafts drawn on the Pro. Govt. and a list of Receipts pd. sundry persons which will explain themselves. The sum of two hundred ten dollars paid H Foley will be charged to the Georgia Battalion of Volunteers (being for articles furnished them for private purposes to wit seventy gallons of Brandy) and will be deducted from their pay. . . .

"I have to remark in reference to the amt of two thousand (2000) dollars received from Gay by Col J W Johnson that before accepting the appointment of Agent by Col J he received the amount ($2000) in the presence of Col. Wm Pettus & Thomas F. McKinney for which he has not accounted to me or furnished a voucher as evidence of expenditures.

"I send also the account of Capt Jack Shackleford of the Red Rovers for settlement.

"Very Respectfully
"Your obet servt
"J W Fannin Jr
"Col comt Army Texas & Agt Provl Govt

"P. S. I enclose duplicates of drafts drawn—vouchers &c with the exception of a few expenditures made for the public service in expresses, &c.

"J. W F

[These duplicates are mainly illegible but in so far as they can be made out are correct.]

The Provisional Government of Texas in account with
Col J. W. Fannin Jr. Agent

"Cr.

By cash received of McKinney & Williams on Dft. drawn by Genl Council dated 23d Jany 1836.....$3000

Dr

1836			
February	3	To Cash paid Capt Appleman for freight goods seized, a list of which has been sent to the Council .....$	42.00
		To DO paid pilot for Schr Columbus to be deducted from Draft on Prov. Govt.....	50.00
	8	" Do paid Capt. Tarleton as per rect.....	4.00
	9	" Do paid A. Sayle rep. of rifles.....	3.50
	14	" Do paid for forty bushels as per rect of F Flores	35.00
		" Do paid Ignacio Castro for [illegible].....	8.00
		" Do paid I. R. Foster to bear express.....	3.00
		" Do paid for express to San Patricio.....	2.00
	20	" Do paid expenses of expedition to the Ranchos on San Antonio under Maj. Mitchell.....	3.00
	23	" Do paid W. G. Cooke Capt.....	10.00
		" Do paid D. N. Burke "	10.00
		" Do paid G. F. Leonard of Grays.....	20.00
		" Do paid Capt Tarleton for express.....	10.00
		" Do paid Maj. Bennet for public service.....	3.00
		" Do E. McDonough for Corn.....	62.50

sieged. If however I hear of the fall of Bexar before I reach there I shall retire on this place and complete the fortifications now in a state of forwardness and prepare for a vigorous defence, waiting anxiously in *any event* for the arrival of reinforcements from the Interior.

" Do B. C. Wallace as pr. a/c rect	4.50
" Do paid by Gay to F. W. Johnson to be deducted from Dft of $3000	2000.00
" Do paid Col Johnson at Refugio	10.00
" Do paid Foley as pr. acct. and receipt	200.00
To cash paid Lopez for silk, etc	11.12
" Do for Rifle for Ball of Duvall's Compy	15.00
" Do paid W. A. Simpson of Wyatts Company	15.00
" Do paid for 276 pds. Tobacco for Volunteers as per a/c and rect.	105.60
" Do paid for one Ream letter paper quills and ink	7.50
Balance Cash on hand	393.28
	$3000.00
Feby 25 By Balance Cash remains in my hands	393.28

E & O E—[Errors and omissions excepted]

J. W. Fannin Jr.
Col Comt Artly and Agt. Provl. Govt.

Goliad, February 25, 1836

The Government of Texas in Acct with Jack Shackleford Captain of the Red Rovers from Alabama

1835		
December	To Amt passage for volunteers from Tuscumbia to Paduca in the steamboat William Penn (Capt Bradford)	47.00
	To Amt paid [illegible] to Orleans on board the Kentuckian (Capt Dawson)	278.00
	To Amt pd in Tuscumbia for provisions &c	75.00
	To do in Paducah	25.00
	To do in New Orleans and on the way down	102.00
1836		
Jany	To Amt pd Passage for self on Board Brutus	20.00
	To do for provisions upon Brutus	50.00
	To Amt paid for Tents and Camp equipage	60.00
	To Paid in Texas for provisions &c	25.00
	To paid State of Alabama for 50 muskets and accoutrements	600.00
	To set of Amputating instruments and box medicine	30.00
	1 Box [illegible] 1 small do	12.00
		1254.00

I certify on honor that the above acct. is correct and that the sum charged is below the actual sum paid out—many of the vouchers were deducted in [illegible] was stolen from board the Brutus. Forty of the muskets were brought to Goliad.

Jack Shackleford,
Cap. Red Rovers from Ala.

Approved and recommended for payt.
25th Feby 1836

J. W. Fannin Jr
Col Comg & Agt Provl Govt.

I leave from 80 to 100 men for the present defence of this place with the expectation of a speedy reinforcement from Matagorda.

Such was the hopeless situation of Fannin at the end of the second month. His expedition had accomplished nothing; his expenses were far in excess of what had been allowed him; and his supplies were exhausted. His "advance division" had been completely destroyed; and with his present facilities and with the large Mexican force watching him, it was impossible for him to carry aid to his comrades besieged in the Alamo. Since he was determined not to retreat on his own initiative, there was nothing left for him to do but make the best of a bad matter. Extracts from a letter[23] of John Sowers Brooks written on March 9, pretty well sum up the situation of the volunteers at the end of the second month:

The Mexicans, to the number of 700, are now in San Patricio, about 60 miles in front of our position; and another party of 200 have been discovered within 18 miles of us, between us and Gonzales. Every thing indicates that an attack will be speedily made upon us. Their scouts, well mounted, frequently push up to our walls, and from the want of horses, we are unable to punish them. . . .

We have had no bread for several days. I am nearly naked, without shoes, and without money. We suffer much, and as soon as Bexar falls, we will be surrounded by 6000 infernal Mexicans. But we are resolved to die under the walls rather than surrender. . . .

Independence has probably been declared. We are in a critical situation. I will die like a soldier.

(*Continued.*)

[23]**Brooks to Hagerty, The Quarterly, IX, 190-92.**

GALI AND RODRIGUEZ CERMENHO: EXPLORATION OF CALIFORNIA

CHARLES E. CHAPMAN

Drake's voyage to the Pacific in 1579 awakened Spain to a realization of the danger she ran of losing large portions of her empire. Never before had she encountered competition along the western shores of the Americas, and her only thought there had been to extend her domain in the direction of lands that promised quick returns in wealth. To be sure, Rodríguez Cabrillo and other leaders had sought the mysterious though actually non-existent northern strait called "Anián" in order to forestall foreign occupation, but the principal ideal during most of the first century after the discovery of America had been that of remunerative conquest, rather than defence. The expedition of Drake may fairly be said to have caused a change in Spanish colonial policy and the introduction of a new spirit which was to be the dominant note for another two hundred years. Henceforth Spain indeed sought rich lands, though more and more inclined to insist on proof before undergoing the expense of conquest, but fear of foreign danger began to take the principal place in her calculations for an extension of the sphere under her control. Expansion in order to insure the safety of her already occupied dominions, the policy of what may be termed the "aggressive defensive," became the keynote in Spain's activities along her colonial borders.

No region that she then possessed was so valuable to her as the kingdom of New Spain and none of the mainland countries was so exposed to European attack. Spain learned, thus early in her career, that the Californias, extending down through the eight hundred-mile peninsula to Cape San Lucas, constituted a grave danger if they should fall into the hands of an enemy, for they lay conveniently near a great part of the west coast of New Spain. It was natural, therefore, that she should wish to occupy the Californias, even though the effort should occasion considerable expense and though the expected riches should not develop.

The Spanish ambassador in England sent home reports about Drake's project for a second voyage to the Pacific. What action the Spanish government took has not yet been revealed, but it is

clear that the viceroys of this period displayed an unusually great interest in the Californias, with a view to making Spanish establishments there. This interest was heightened by rumors that Drake had discovered the strait and sailed through it.

On top of all this came a report from Francisco de Gali, commander of the Manila galleon of 1584, that he had encountered evidences of the strait in his voyage of that year. According to the account of this voyage by Ferñandez de Navarette,[1] Gali sailed three hundred leagues east and northeast of Japan

and found open deep sea, with currents from the north and northwest which were not diverted by the wind, whatever its violence or direction, until, having sailed seven hundred leagues, he reached the coast of New Spain, where he no longer observed the currents or the depth of sea previously met with. This gave Gali the idea that the strait between Tartary, or northern Asia, and New Spain was in the region of the currents. He also encountered on all his seven hundred league voyage a great number of whales, tunny-fish, albicore, and *bonitos,* which are fish usually found in channels where there are currents. These circumstances confirmed him the more in his belief that the much talked of strait was in that vicinity.

On this occasion, too, Gali passed along the Alta California coast. The narrative of the voyage, as translated in Bancroft, after telling what had happened in the earlier stages of its sailing, went on to say that

being by the same course upon the coast of New Spain under 37° 30′, we passed by a very high and fair land with many trees, wholly without snow, and four leagues from the land you find thereabout many drifts of roots, leaves of trees, reeds, and other leaves, like fig-leaves, the like whereof we found in great abundance in the country of Japan, which they eat; and some of those that we found, I caused to be sodden with flesh, and being sodden, they eat like coleworts; there likewise we found great store of seals; whereby it is to be presumed and certainly to be believed, that there are many rivers, bays and havens along by those coasts to the haven of Acapulco. From thence we ran south-east, south-east and by south, and south-east and by east, as we found the wind, to the point called Cabo de San Lúcas, which is the beginning of the land of California, on the north-west side, lying under 22°, being five hundred leagues distant from Cape Mendocino.

[1]In 1802, in his introduction to the narrative of the voyage of the *Sutil* and *Mexicana,* which went north in 1792 to prove once for all the truth or falsity of the reports about the strait.

This account is an interesting indication that other Spanish ships had passed along the Alta California coast as far north as Cape Mendocino between the time of Ferrelo in 1543 and Gali in 1584, though no record has come down to us. Ferrelo did not apply the name in 1543, and yet it is mentioned casually in 1584 by Gali, who did not see it on his voyage and who refers to it as one would to a place long since known and named. Of more immediate consequence, however, is the interest that the viceroy of New Spain displayed in Gali's story. Gali himself was a man of more than ordinary attainments and therefore his views were regarded as worthy of credence. The archbishop-viceroy, Pedro de Moya, said of him "that he was the best trained and most distinguished man in Mexico, and that in regard to cosmography and the art of navigation he could compete with the most select minds of Spain." Gali was asked about the advisability of establishing a settlement in some California port, which might serve both as a way-station for the galleon and as a base for obtaining further information of northern lands. There can be little doubt, too, that the element of foreign danger, of which Drake's voyage had been a forcible reminder, was influential in the viceroy's plans. Moya wrote to the king, strongly urging the need of discovering and occupying a port on the Alta California coast, and intimated that he was about to send Gali again to the Philippines, with orders to explore and make maps of the coasts of Japan, the islands of the Armenian (as the islands later styled Rica de Oro and Rica de Plata were sometimes called), and the Californias. It seems probable that the voyage was not made, as no evidence of it has come to light. At any rate, Moya's successor, the Marqués de Villamanrique, was clearly out of sympathy with the project. In May, 1585, five months before he reached New Spain to take over the government of the vice royalty, Villamanrique expressed his opinion that though no settlements had been made in the Californias the ships from the Philippines had not suffered any inconvenience for the lack of them. He seems not to have considered the matter from the standpoint of foreign danger, however. Upon his arrival in New Spain it is likely that the plan was dropped.

If the new viceroy felt that there was no reason for anxiety over foreign incursions into the Pacific he was soon rudely disillu-

sioned. In 1586 Thomas Cavendish had set sail from England with three ships, of respectively, 120, 60, and 40 tons, and with 123 men. Entering the Pacific in 1587, he sailed north, ravaging the coasts of Peru and New Spain and capturing many ships. Learning that the galleon was soon expected—the richest prize of all!—he betook himself with his two remaining ships to the Bay of San Bernabé at Cape San Lucas in the Californias. On November 4, 1587, the galleon of that year, the *Santa Ana,* a 700 ton ship, laden with rich silks and other cargo, besides 122,000 *pesos* in gold, hove into sight. Cavendish gave battle, and after a desperate fight took the prize. He thereupon transferred to his own ships what he wanted of her cargo, burned the galleon, and set sail for England. With one of his ships, he got across the Pacific, and eventually around the world to England. The survivors of the *Santa Ana* found that enough remained of the hulk for them to make their way in it to Acapulco.

Now, more than ever, it seemed clear that something must be done about occupying the Californias, for it was there that the foreign ships had the best opportunity to lie in wait for the galleon which was such an important element in the economic life of New Spain. If action were not taken, then the achievements of Drake and Cavendish would serve as an alluring inducement to others. The worst of it was, that a mere handful of men seemed capable of upsetting Spain's security in the Pacific. Steps were taken, therefore, to discover a northern port along the California coast where the galleon might receive notice whether the seas were clear and perhaps the escort of a well armed vessel.

In 1591 Luis de Velasco, who had succeeded Villamanrique as viceroy in 1590, wrote to the king that it was necessary to discover and survey the ports of the Californias, if the Philippine ships were to be adequately protected. Orders were therefore sent from Spain, in 1593, for such a survey to be made in course of a voyage of the galleon. The difficulty was to find the money, since a careful exploration would entail considerable additional expense. It was arranged, however, with the consent of the government in Spain, that a private individual should supply the funds, in return for which he was to receive concessions enabling him to make a profit on his venture. Accordingly, in 1594, Sebastián Rod-

ríguez Cermenho,[2] a Portuguese, was selected to command the Manila ship. According to Velasco he was "a man of experience in his calling, one who can be depended upon and who has means of his own." Apparently he was well acquainted with the galleon route, for he seems to have been pilot of the ill fated *Santa Ana* when Cavendish took it. Rodríguez was given permission to ship a number of tons of cloth at Manila on the galleon, thus receiving the benefit of the freight-money. The wisdom of the decision to know and perhaps occupy the Californias seemed clear when news came to New Spain, late in 1594, that Richard Hawkins in an English ship had broken into the Pacific some time before and ravaged the South American coast, though he was captured by the Spaniards in the month of June, not far from Panamá.

On July 5, 1595, Rodríguez Cermenho left Manila in the *San Agustín* for the voyage to the Californias and Acapulco, and November 4 first sighted the coast in about 42°, according to his own account, but in fact farther south, probably a little north of Eureka, about 41°. He now proceeded along the coast, taking soundings and looking for a suitable port except at night, when he deemed it wise to run to sea. On the 5th he passed Cape Mendocino. That day and night they experienced a terrific storm, which left the *San Agustín* in such bad shape that several of the officers petitioned Rodríguez to veer away from the coast and head at once for Acapulco, giving up the plan for the discoveries. Rodríguez would not hear of it, however, and turned the vessel toward the shore. About noon of the same day the sailors at the mast-head caught sight of Drake's Bay behind Point Reyes, whereupon the ship was steered in that direction and came to anchor in the bay. Rodríguez named this port the Bay of San Francisco, although he and his men also called it Bahía Grande (Great Bay).

The narrative of Rodríguez's sojourn at Drake's Bay, from November 6 to December 8, compares in interest with that of Drake, and indeed much more precise information was given about the country for some three or four leagues into the interior from the place where the Spaniards landed. The Indians were almost equally as friendly as in the time of Drake, and the country impressed the various witnesses who expressed themselves about it as

[2]The mother's name, Cermenho (by which he is more often called), is usually written in Spanish form as Cermeño. Cermeñon and Sermeño are also of occasional use.

very much like Castile. The Spanish accounts also tell of the great number of deer (which seemed to them of unusually large size) and partridges (probably the "conies" of Drake's narrative) that they saw. Rodríguez's long stay was occasioned by his plan to explore the shore in a smaller vessel which he built there, leaving the galleon to keep farther off the coast in the safer waters of the deep. In the light of what happened it was fortunate that he had decided upon this course, for on November 30 the *San Agustín* was driven on shore and wrecked. Only two men seem to have met death, but most of the cargo and all of the provisions were lost. It would be interesting to have more details of this disaster, but the narratives of the voyage which have thus far been found are singularly reticent on this score. The launch, or open sailboat, which they were building was nearly completed; so they were saved a delay in their departure which otherwise would have cost them their lives. It was pressingly urgent, however, that they should procure supplies, for there were seventy mouths to feed. Rodríguez therefore made two expeditions inland, and obtained provisions from the Indians, mostly acorns, which (though bitter to the taste) kept them from starving. On one occasion Rodríguez went to a village to recover some timbers which the natives had procured from the wreck of the ship. The Indians showed fight, sending a shower of arrows against the Spaniards which wounded one man. Then they fled, and Rodríguez and his men plundered the village, getting a great booty in acorns. Later, the Indians repented, and made a gift of further supplies.

On December 8, 1595, Rodríguez left Drake's Bay on the *San Buenaventura,* the launch he had constructed. Seventy men and a store of clothes and stuffs saved from the galleon (to use in barter with the Indians) were crowded into the tiny ship. He headed south for some small barren islands (the Farallones) that he had seen before, and "passed near the said barren islands on the land side about a league or more from shore."[3] Yet he saw nothing of San Francisco Bay.

On the 10th he passed Monterey Bay, which he called the Bay of San Pedro. In the afternoon of the 12th the *San Buenaventura* came upon a village along the Santa Barbara Channel. The men

[3]In his report of April 24, 1596, Rodriguez puts it this way: "I passed near the said barren islands and near the land about a league away, more or less."

called to the natives on shore that they were *"cristianos"* (Christians), whereupon one native caught up the cry, shouting in a loud voice *"Cristianos! Cristianos!"* and straightway came out to them on a raft. Rodríguez gave him a woolen blanket and some taffeta. Soon a number of other Indians came. The Spaniards made signs that they were hungry, wherefore the Indians returned to shore and brought back some bitter acorns and a kind of acorn mush. This they offered in exchange for some of the goods in the *San Buenaventura's* store. Indeed, said Rodríguez, "this people seems to be somewhat avaricious, for after we had given them pieces of taffeta and satin and woolen blankets they asked for more." Thus early were the Santa Barbara Indians displaying those qualities which in later years caused the Spaniards to call them "the Chinamen of California," because of their fondness for driving a good bargain. In the course of the conversation with them, such as it was (for neither party understood the language of the other), some of the Indians said "Mexico! Mexico!" It would be interesting to know whether their knowledge of that land had come down to them from the Rodríguez-Cabrillo-Ferrelo voyage of more than fifty years before, or from some overland communication, or indeed from some other crew of seamen whose visit to California is as yet unknown.

Meanwhile Rodríguez had been making careful surveys of the coast, in accordance with his instructions. The sailors and passengers were now sick and weak from lack of food, for they had been subsisting on acorns only. So on the 13th they joined in asking Rodríguez to desist from making further discoveries and to sail with all possible speed for a land where they might procure food. But Rodríguez put them off with fair words, and continued to run the coast in search of information. If the account is true, he must indeed have been a brave man of commanding personality to hold out against starving men in an age of violence; at any rate, he proceeded in ensuing days to make his observations as before. To satisfy their hunger the Spaniards killed a dog they had with them, cooked him, and ate him, even to the very skin. This was on the 13th. On the 14th they passed near Catalina Island, where two Indians came aboard and gave them ten or twelve fish and a seal. Rodríguez made them a present of some silk and woolen blankets, intimating to them, as best he

could, that they should bring more food in exchange for these goods. The Indians went away and returned again, but brought nothing to eat with them. Nevertheless the Spaniards were able this day to catch about thirty fish, all of which they ate. From there they sailed to San Clemente Island, which they reached that night. Going toward the mainland again, on the 15th, they came to Point Loma and San Diego Bay, which had been named, apparently on some previous voyage, the Bay of Pescadores (Fishermen). They did not stop, however, but made a two-day run down the coast.

On the 17th they came to a large island, probably the one known today as San Martín Island in 30° 29′ near the Baja California coast.[4] The island seemed to have been known to Rodríguez before, and is referred to by him as San Agustín. The Spaniards now had neither food nor drink; so a party was landed to see what they could find. They brought back some bread which the Indians of that place had cooked, made out of a root resembling the sweet potato, but this made the Spaniards sick when they ate it. Driven from the southern part of the island by a strong wind, they went to the northern end for shelter. Here they made a discovery which very probably saved their lives. As Rodríguez puts it:

> We went on shore and found many wild onions and prickly-pear trees (*nopales*), and likewise God willed that we should find a dead fish among the rocks, with two mortal wounds, and it was so large that the seventy of us sustained ourselves on it for more than a week, and if it had not been so large we would have perished there of hunger.

There was still no water, but here, too, the miracle occurred. "God was pleased" to send a wind that night which caused them to leave their anchorage and run down the island more than four leagues, where they entered a small but safe bay. There they found a stream of good water, which descended from the mountains of the island. It was two days more before the wind died down sufficiently for them to return to the northern end. There they picked up some thirty companions who had been left there to roast the big fish and guard it.

[4]Rodríguez described this island as running from northwest to southeast, eight or nine leagues long by four wide and in 31° 15′ at its northwestern point.

On December 22, having taken on board plenty of water and the remainder of the big fish, Rodríguez set sail in search of Cerros Island. The sailors and passengers with him were now so sick and weak, some of them at the point of death, that Rodríguez acceded to their requests that he should no longer stop to make observations of the coast, which from this point on was quite well known to Spanish navigators, anyway. So he hastened on as fast as possible, and on January 7, 1596, came to anchor in the port of Navidad, New Spain. Here most of the men, Rodríguez among them, disembarked in order to restore their shattered health. The launch was despatched under Juan de Morgaña (one of Rodríguez's officers), with a crew of ten men, to Acapulco, where it arrived on January 31. Rodríguez made his way to Mexico City, at which place, on April 24, 1596, he penned his official report.

Unfortunately for the reputation of this mariner there was an aftermath to the voyage. To the merchants of New Spain and, to a certain extent, to the authorities, the outstanding fact was the loss of the *San Agustín* and its cargo, and proceedings were instituted to determine who was at fault. The officers endeavored to inculpate one another, and, furthermore, when Rodríguez and two others were questioned by the viceroy about the discoveries along the Alta California coast they did not agree in all particulars. In a letter to the king, dated April 19, 1596, the viceroy (the Conde de Monterey, who had succeeded Velasco in 1595) expressed himself as follows:

> To me there seems to be convincing proof, resting on clear inference, that some of the principal bays, where with greater reason it might be expected harbors would be found, they crossed from point to point and by night, while others they entered but a little way. For all this a strong incentive must have existed, because of the hunger and illness they say they experienced, which would cause them to hasten on their voyage. Thus, I take it, as to this exploration the intention of Your Majesty has not been carried into effect. It is the general opinion that this enterprise should not be attempted on the return voyage from the islands and with a laden ship, but from this coast and by constantly following along it.

Thus did Rodríguez Cermenho fail of the glory to which he was entitled, and he was saved from oblivion only through the notoriety of having lost his ship. Yet, those who have read his report

will recognize that he gave a very good description of the Alta California coast; it is almost always possible to tell just where he was from the account he gave,—and this is something that can not be said for some other more famous navigators. His voyage did have a real importance, however. As indicated in the Conde de Monterey's letter, cited above, the opinion became general that it would be better to explore the Californias by a voyage direct from New Spain, in boats of light draught, instead of relying upon the galleon for this purpose. The new idea was very soon to be acted upon.[5]

[5]For the Rodríguez Cermenho voyage, transcripts (in the Bancroft Library) from the following documents of the Archivo General de Indias of Seville, Spain, were used:

1. 1595. November 30-December 9. Drake's Bay. Pedro de Lugo. Informaciôn sobre la calidad de la tierra que se vido en el Puerto que se tomô.

Copy. Transcript 15 pp. long-hand. Legajo 58-3-12. Testimony taken by the notary Lugo of Rodríguez and others about the land at Drake's Bay and for three or four leagues inland. Dated (in Mexico) 1596.

2. (1596. January Navidad). Pedro de Lugo. Sworn testimony of Rodríguez before the notary Lugo of his discoveries in the Californias from the first day that he sighted the coast until his arrival at Cerros Island].

Original. Transcript 16 pp. typed. Legajo 58-3-12.

3. 1596. Apr. 24. Mexico. Sebastián Rodriguez Cermenho. Derrotero y relaciôn del descubrimiento que hizo el Capitán y Piloto mayor Sebastián Rz. Cermenho, por orden de su magestad, hasta la Isla de Cedros. Original. Transcript 21 pp. long-hand. Legajo 58-3-16.

These three documents tell much the same story, but they are not identical. Taken with other materials in the Bancroft Library they should one day be the basis for a substantial thesis. Except for a brief and somewhat mistaken note in Richman, they have never been utilized before. In addition, the following items were used:

1. *Documents from the Sutro collection*, orig. Sp. and tr. ed. by George Butler Griffin in Historical Society of Southern California, *Publications*, II, pt. I, Los Angeles. 1891. Fifteen of the nineteen documents range in date from 1584 to 1603. Ten of them were made use of in this chapter.

2. *Documentos referentes al reconocimiento de las costas de las Californias desde el Cabo de San Lucas al de Mendocino*, ed. by Francisco Carrasco y Guisasola. Madrid. 1882. This contains forty-four documents ranging in date from 1584 to 1609. Many of the more important appear in item 1 above. Some of the others were also used.

MINUTES OF THE AYUNTAMIENTO OF SAN FELIPE DE AUSTIN, 1828-1832

IX

EDITED BY EUGENE C. BARKER

[p. 81] List of the Individuals who were voted for Sindico procurador at the Municipal election held on the 12 and 13 of the present month in conformity with the 164th Article of the Constitution and 97th and 100th articles of Law 37

Robert M. Williamson	recd	250	votes
Stephen Richardson	"	56	"
William Robinson	"	2	"
Isaac M. Pennington	"	1	"

Town of Austin 19th Decr 1830

Thos. Barnett

John W. Moore	Jesse Grimes
Saml Peniston	John Huff
Thos. H. Mays	Martin Allen
C. B. Stewart	Thos. Cayce
J. D. Morris	

In continuation, and in the same town place day and month and year the Ayuntamto. proceeded in conformity with the requisites of the 158th Article of the Constitution and 106th Article of Law No. 37 and in presence of the same members and other presidents tellers and Secretaries of the Municipal electoral assemblies and in presence of the lists formed the three general lists of the persons who were voted for Comisarios and sindicos of precinct and in conformity therewith the president declared constitutionally elected Comisario of the precinct of San Jacinto Citizen Samuel C. Hirams and for sindico of the same precinct Citizen Samuel C. Bundick having recd the majority of votes, and citizen Francis Holland as Comisario and Citizen Jesse Grimes for sindico of the precinct of Viesca, having recd the majority of votes, and Citizen William Barton as Comisario *y* Citizen Thomas H. Mays as sindico of the precinct of Bastrop having recd the majority of votes and Lawrence Ramey as Comisario and citi-

zen Thomas Jamieson as sindico of the precinct of Mina having received the majority of votes, and Citizen Henry Smith as Comisario and Asa Brigham as sindico for the precinct of Victoria having received the majority of votes and Citizen [blank] as Comisario and Citizen [blank] as sindico for the precinct of Guadalupe in the Colony of the Empresario Green De Witt having recd the majority of votes and the body ordered [p. 83] that the two copies of the lists should be made out and one of them immediately posted in a public place the originals to be filed, and the session was adjourned

Thos. Barnett
Samuel M. Williams
Secy

In the town of San Felipe de Austin 31 Decembr 1830. The Ayuntamto. met this day in extra session the following members being present Thomas Barnett president, Jesse H. Cartwright 2d Regidor Walter C. White 3d Regidor, Churchill Fulchear 4th regidor *y* William Pettus sindico procurador. A report was presented to the body by the sindico procurador made by Francis W. Johnson relative to the discharge of the duties conferred on him by the Ayuntamto. as a special Commissioner of the body appointed 24th Novembr last which report was read, and approved and ordered to be filed.

A petition of Martin Allens praying for the extension of twelve months time for the payment of thirty dollars, due by him to the municipality, which after a full discussion of the merits of the petitioner, was granted, and it was ordered that twelve months additional time be added to the original time for the payment of said sum of thirty dollars.

A petition of Thomas Westalls praying that Eighteen months additional time may be allowed him for the fulfilment of his contract with the Ayuntamto. to improve [p. 84] certain lots in this town. In consideration of his having engaged to build a school house and other buildings on the gulph prairie. The prayer of the petitioner was granted on the condition that he does build the school house etc. which he states he has undertaken to do otherwise he will not be exempted from the improvement of the lots which will remain subject [to] the ordinance A petition of Samuel H. Hardens praying that the title to lots Nos. 70 and 71

purchased by him and afterwards taken by Ira Ingram, may be made to said Ingram. The prayer of sd petition was granted and the title ordered to be issued as soon as the lots are improved.

A petition of Thomas Davis praying that the title to lot No. 73 and out lot No. 53 which were bo't by Charles Smith and for which sd Davis was security, may issue to him the sd Davis inasmuch as Smith has abandoned them and he Davis has paid for them. The prayer was granted and the title ordered to be issued when the conditions are complied with.

An account was presented by the sindico procurador to the body from Francis W. Johnson amtg to 63 37/100 for expenses incurred by him in the expedition ordered by the ayuntamto. of which he was the Commissioner of the body which was admitted and the balance due ordered to be paid to Mr. Johnson from the first funds belonging to the Municipality.

An account was presented by Samuel M. Williams collector of stamp dues for the amt due him for stamp paper furnished the ayuntamto and also for postage due him as postmaster the whole amtg to $11-6 bitts Eleven dolls 75/100 which amt was ordered to be paid sd Williams from the first cash funds of the municipality.

An account was presented to the body containing a charge of 20 50/100 for ironing League and Ingram and taking off their irons and fifty dollars for a horse, which had been lost by Mr. Thos Gray on the expedition to Gonzales—The Ayuntamto. refused to admit the first charge inasmuch as the expense was incurred for the special convenience of sd Ingram and League and therefore considered it right they should pay it themselves[40] [p. 85.] With respect to the item for the horse, the Ayunto. considered the charge exorbitant and had the horse valued by three persons who well knew his value viz Oliver Jones F. W. Johnson and Saml O. Pettus who estimated the horse to be worth 25$ which amt was admitted and ordered to be pd. out of any unappropriated funds to the legal owner of the sd. horse.

In conformity with a previous notification of the Ayunto. to that effect: John Partin personally appeared before the body this day and produced evidence which to the ayuntamto. was satisfactory that the errors committed by Partin were not criminal,

[40]For the previous history of these unfortunates see THE QUARTERLY, XXII, 188, 354.

the body therefore resolved that the sd. Partin should be released from the injunction which the body had put on his admission as a settler and further ordered that the Empresario Austin be notified that there no longer exists any impediment to sd. Partins receiving land as a settler.

The following resolutions were then passed by the Ayto.

First that Citizens Horatio Chriesman, G. E. Edwards, James Lynch, Oliver Jones, and William Pettus be and are hereby appointed as Commissioners to lay out a road from the town of Sn Felipe de Austin to the present residence of Joel Lakey and report the same to this body as soon as possible

Second that Citizens John W. Hall, Amos Gates, James Bradbury, Gibson Kuykendall, and Joel Lakey be and are hereby appointed Commissioners to lay out a road from the present residence of Joel Lakey to the crossing of the Labahia road on the river Brazos.

Third That Citizens Abner Lee, John P. Coles, Nestor Clay John Cole and George Erving be and are hereby appointed Commissioners to lay out a road from the present residence of Joel Laky to the garrison on the river Brazos.

On motion of William Pettus sindico procurador, it was ordered that one months time be given to Dudley White and Christian Wertzner to pay for the lots which they purchased and further that notice be given in the next [p. 86] number of the Texas Gazette that the said lots will be sold on the first day of Feby next unless they be paid for on or before that time, for and on acct of the said White and Wertzner.

The President of the body Thomas Barnett who has been acting as Treasurer of the body presented the statement of the ingress and egress of the funds placed in his hands and of the administration of the same during the present year which statement after having been carefully examined by Walter C. White regidor and Samuel M. Williams Secretary as a committee appointed for that purpose was found to be correct and it was therefore admitted and approved of by the body and ordered with the general statement to be passed to the new Ayuntamto.

On motion of the Sindico procurador William Pettus, it was resolved by the Ayuntamto. that the houses and lots purchased by a voluntary subscription of the citizens of the municipality, for

a church, of Nicholas Clopper, the title of which property has been vested in the municipality be accepted and declared the property of the municipality and as such passed to the new Ayuntamto. the same having been a voluntary donation from the Citizens.

On motion of William Pettus Sindico procurador, it was ordered that the amt due to Samuel M Williams for his services as Secretary protem and Secretary of the body since the removal of George Fisher, up to the end of the present year, the same being two months and a half at the rate of 800$ per annum amtg to 166 dollars 66/100 be and is hereby allowed and awarded to said Williams to be paid out of the first funds of the municipality. The body then adjourned until tomorrow at 10 oclock

Thos Barnett
Samuel M. Williams
Secy

[p. 87] In the Town of San Felipe de Austin first January 1831 conformably with the municipal ordinances The Ayuntamto. met this day the following members being present Thomas Barnett prest. Jesse H. Cartwright 2d Regidor, Walter C. White 3d Regidor Churchill Fulchear 4th Regidor and William Pettus Sindico procurador, and the session being declared by the president as open, and on account of a previous notification to that effect, Mr. Francis W. Johnson, the Alcalde elect presented himself before the body and took the oath prescribed by the 22d article of the Constitution which was administered by the prest. of last year—After which act the Sindico procurador notified the body that there were no others of the new members present, and this act was closed. The prest. of the old body then presented a written report of the general affairs of the Municipality during last year and of the reforms necessary after its having been read the new president ordered a session to be held on the 17th for the purpose of appointing committees and the Ayunto. adjourned.

Thos. Barnett
Samuel M. Williams
Secy[41]

[p. 1.] En la villa de San Felipe de Austin a 17 de Enero de 1831—

[41]Volume 2 of the manuscript ends here.

The Ayuntamto. met this day pursuant to an order of the president, present the following members Francis W. Johnson, prest. Walter C. White 1st Regidor Randall Jones 3d Regidor and R. M. Williamson sindico procurador. The Ayuntamto. procceded to examine the report of Mr. Thomas Barnett the former president and treasurer of the body, the account of the said treasurer of the ingress and egress of the funds of the municipality under his charge during the last [year?] and also a statement of the debts due by the Ayunto. and debts due to it, and after a careful examination they were approved of and the ayuntamto. ordered that a succinct statement of the situation of the municipal funds be published for the information of the inhabitants of the Jurisdiction.

The Ayuntamto then proceeded to the appointment of a treasurer and on motion of R. M. Williamson, Francis W. Johnson the president of the body was duly appointed Treasurer to this municipality in conformity with the provisions of the municipal ordinance.

The ayuntamto. adjourned until tomorrow morning at 10 o'clock

The 2d and 4th Regidors did not attend this session

Samuel M. Williams
Secy

[p. 2] In the town of Austin 18th Jany 1831 the Ayuntamto. met pursuant to the adjournment of yesterday present F. W. Johnson president and Walter C. White 1st Regidor, Randall Jones 3d Regidor and R. M. Williamson Sindico procurador.

The subject of the appointment of a secretary to the body was introduced by the president, and discussed by different members in regular order, and it was resolved that inasmuch as the members of the body are absent and it being desirable that all of them should be present at the time of appointing the Secretary, the matter be postponed until the next meeting, and that the present Secretary continue discharging the duties until a further resolution of the body relative thereto.

The subject of the various claims in favor of the municipality arrising from fines etc. etc. on some of which judgments have been entered, was introduced by the president and after an examination, and full discussion by the body, it was resolved that R. M. William-

son be appointed a committee to whom shall be referred the whole matter, and that all the documents etc. now in the possession of the body relative to it as also the list and documents relative to the tax on town lots, in this town, now in the possession of the former Sindico procurador, be given to the said Williamson, for his examination and in order to enable him to report, to the body at the next meeting, the true situation of all such matters.

The Ayuntamto. further ordered that the president be authorised to pay out of the first funds collected and belonging to the Municipal funds for the translation of the evidence taken in the case of Ingram and League.

It was further ordered by the Ayuntamto. that the president of the body adopt such measures not [p. 3] contrary to the existing laws, as [several illegible words interlined] may secure the persons of the criminals now under restraint and also all others that may hereafter require confinement while the municipality is without a public prison or jail, as in his judgment may fulfil the objects and intentions of the laws and at the same time be the least bothersome and expensive to the municipality, and defray the expenses which may be incurred from any funds of the municipality not otherwise appropriated

The president introduced for discussion the propriety of raising a company of Rangers for the protection of the frontier settlements of this municipality against the inroads and hostilities of barbarous Indians, and urged the necessity of the adoption of this or some other measure to secure the inhabitants from Indian invasion, after mature discussion of the subject by the members in regular order, and taking into consideration the peculiar situation of the municipality with respect to public funds for the defraying of the necessary expenses of a number of men who would be sufficient to guard and protect the frontier, the body resolved as the most expedient that an official letter be addressed to the Lieut Col. Commandant of the Batallion of Austin,[42] requiring him to furnish the necessary number of Militia men, by draft or other wise, to act as Rangers on the frontiers of the Municipality.

On motion of the Sindico procurador, it was ordered that the president be authorized to pay out of any of the municipal funds not otherwise appropriated for the translation of Law No. 104

[42]This was Stephen F. Austin.

of the Legislature of the State, and further ordered by the Ayuntamto. that the President of the body be [p. 4] authorized to contract for the printing in the English language of 100 copies of said law No. 104 and No. 39[43] and pay for the same out of any unappropriated funds of the municipality. On motion of the first regidor Walter C. White ordered that the municipal surveyor Thos. H. Borden be authorized to run a straight line from the point two miles beyond that known as the Eight mile point to the house of Josiah H. Bell provided a contract can be made with him to do the same for a moderate compensation, and that Citizens Thos. Gray and Jesse Thompson be appointed commissioners in conjunction with the said Surveyor to review the ground over which said line may pass and report as to the practicability and propriety of making a road in conformity with this line from this town to the house of said J. H. Bell.

On motion of the 3d Regidor Randall Jones ordered that James W. Jones and George Huff be appointed commissioners to lay off a road from the house of said Huff to that of Wililam Mortons on the Brazos

An account was presented to the body by G. B. Cotten printer for advertising in the Gazette for subscribers to the church to make payment amtg. to five dollars which was admitted, and ordered the same to be paid also an order of Thomas Barnett agent for William Barnett in favor of Thomas Davis for 44 66/100 which was ordered to [be] passed to the credit of said Davis and charged to the act of said William Barnett, and also the amount due the municipality by the said Thomas Barnett, being $54 99/100 was settled by being placed to the debit of William Barnett making both items the amt of $99 68/100

[p. 5] A petition was presented to the body by the sindico procurador from Nathaniel Townsend praying that a title may issue to him for building lots Nos. 143, 144 and 181, he having complied with the requisitions under which they were sold. which prayer was granted and the title ordered to be issued.

A petition from Samuel H. Harden was presented to the body by the sindico procurador praying that a title may issue to him for building lots Nos. 137 and 138, he having complied with the requisitions under which they were obtained. Which was granted

[43]See THE QUARTERLY, XXII, 193, and note 32.

and the title ordered to be issued, reformed by order and the title to issue to Francis W. Dempsey. A petition from William H. Jack was presented to the body by the sindico praying for a dispensation of the provisions under which he purchased out lot No. 66 which was objected to by the body and the prayer refused.

The body adjourned—the 2d and 4th Regidors not having attended the session.

Samuel M. Williams

[p. 6] In the town of San Felipe de Austin 8th March 1831 At a meeting of the Ayuntamto. in ordinary session in the public hall of the municipality were present El Señor Francis W. Johnson Prest—Randall Jones 2d Regidor—William Robinson 3d Regidor and R. M. Williamson Sindico procurador.

The ayuntamto. resolved, that inasmuch as there is reason to believe that the H. Congress of the State considering the peculiar circumstances in which the inhabitants of Texas are placed as regards the administration of justice contemplate appointing circuit judges, and form circuit courts. This Ayuntamto. considering the personal merits, moral and political virtues, and information and knowledge of the laws that are attached to citizen Luke Lessasier recommend him through the members of the Legislature from Texas to the consideration of the Legislature of this State as a person fully qualified and capable of discharging the duties of a circuit judge.

Likewise the Ayuntamto. in consideration of the moral and political virtues, and also the knowledge of the laws, as found in the person of Robert M. Williamson recommend him in the same manner for the appointment of prosecuting Attorney in case that by the organic law there should be provision made for a prosecuting Attorney for the circuit courts. Besides the ayuntamiento ordered that a certified copy of this act be made out and remitted to Citizen Stephen F. Austin in [p. 7] that it may supply its corresponding effects and the body adjourned until tomorrow 10 o'clock.

Samuel M. Williams
Secy.

[p. 8] Town of Austin 9th March 1831. The Ayuntamto. met this day pursuant to adjournment—present the same members to wit Francis W. Johnson Prest, Randall Jones 2d Regidor

William Robinson 4th Regidor and R. M. Williamson Sindico procurador. On motion of the president the subject of the appointment of a Secretary to the body for the present year was discussed, and the appointment conferred on Citizen Samuel M. Williams who has been discharging the duties of Secretary provisionally, with the salary of 800$ per annum.

A petition was presented by the Sindico procurador from the first regidor Walter C. White praying leave of absence for three months, for the purpose of attending to some important individual affairs, the petition was read and granted by the body.

BOOK REVIEWS AND NOTICES

Catalogue of Materials in the Archivo General de Indias for the history of the Pacific Coast and the American Southwest. By Charles E. Chapman. University of California Press, Berkeley, 1919.

Although this work bears the title of a catalogue, it is more than that. It differs from catalogues of Spanish, Mexican and other archives which have recently appeared, in that it purports to calendar all the documents in the Archive of the Indies which refer to the subject at hand. It attempts no general description or partial list of what the author conceives to be the most important documents in the Archive of the Indies, but it does describe and enumerate in chronological order those relating primarily to California, the Pacific Coast and the Southwest. It includes all that the author has found, great and small, long and short, of greater and lesser consequence.

The first part of the book contains a description of the Archive of the Indies at Seville, and gives an estimate of the total number of documents there, even attempting a computation of the number of pages. While other investigators who have worked at Seville may differ with Dr. Chapman as to the size of the bundles and the number of pages contained therein, all will agree that the collection is immense and that it is of the utmost importance as a fundamental source of material for an understanding of Spanish-American history and institutions. The author also gives a very useful and graphic illustration of the comparative value of materials in Spain, Mexico and California.

Owing to the fact that the research which made this *Catalogue* possible was supported financially by the Order of Native Sons of the Golden West, the author probably felt impelled to devote more space than would otherwise be fitting to a description and history of the Native Sons' Traveling Fellowships of the University of California. As a result of the generosity of this Order, Dr. Chapman points out, men have been prepared for university positions, and have thus been enabled to go forth and "spread the gospel 'of the Golden West' throughout the country." The direction of the research work in question was in the hands of

the late Professor Henry Morse Stephens, who first surveyed the material in Spain, estimated its possibilities and secured the support of the Native Sons for the work that was to follow. Dr. Chapman gives several pages to a discussion of certain technical phases of the research labor involved in searching out the material, properly classifying it, and of preparing it for the catalogue. These directions, if followed, will unquestionably be of interest and value to any person undertaking similar labor in Spain, or elsewhere, where the arrangement of materials is the same.

The second part of the book consists of the catalogue proper and gives a general description of the 207 *legajos* used in its compilation. This material is to be found in the three respective groups under the *audiencias* of Mexico and Guadalajara, and in the Estado Papers. It is to be regretted that Dr. Chapman did not see fit to catalogue and calendar documents from the Philippine Group, of which there are many referring to California and Pacific Coast voyages. These *legajo* descriptions are of service in that they enable the investigator to know the general character of this material. Of course, they aim to do no more than give a general idea of the contents of the *legajos,* and a glance at these pages will enable the interested inquirer to know whether further search in this direction is apt to be profitable.

"The Calendar of Items" contains 6257 titles, listed chronologically, covering 224 years of Spanish rule on the Pacific Coast and in the Southwest. These documents refer in large part to California, and in themselves they tell the story of the Pacific Coast from the early expeditions under Vizcaino to the last acts of the Spaniards in California immediately preceding independence.

CHAS. H. CUNNINGHAM.

Reminiscences of Rev. Jno. H. McLean, A. M., D. D., Dallas: The Author. 1918. Pp. 322.

The author was born in North Carolina in 1838. His family came to Texas the next year, and settled near Marshall. He has resided within the boundaries of the Lone Star State continuously since. He has, therefore, seen a marvelous transformation in this State. But the author limits himself to rather narrow bounds in the choice of the subjects treated. Chapters

III and IV contain sketches of the rudeness of the times and of his earliest recollections. Chapters V and VI give some account of McKenzie College, of its founder, and of some of its prominent students. This is one of the most valuable contributions made by the author. A good photograph of Rev. J. W. P. McKenzie is printed. In Chapter VIII one catches glimpses of the effect of the Civil War upon the churches. In 1861 Rev. Mr. McLean was stationed at Rusk, and the next year he was stationed at Sherman. "Socially and politically the communities of Marshall and Rusk, and the community of Sherman, were not altogether harmonious on the war question. The population of the first two communities were from the Gulf States principally, the last from such border States as Tennessee, Kentucky, Illinois, Missouri and Kansas, and a preponderance of sentiment favored the Union." In Chapter IX the author gives expression to some reflections on "the war and slavery." His conclusion in the matter is that "It is cause for congratulation that slavery, long a bone of contention between the North and the South, has been removed. But the manner of its removal . . . The justice of this has left an interrogation point in the minds of not a few."

The subject of schools receives attention throughout the book. Chapter XI presents a concise history of the "rise and progress of Southwestern University"; Dr. McLean was vice-regent and regent of this school for seventeen years. There are also brief chapters devoted to John H. Reagan and to William Pinckney McLean. The volume records the experiences of a minister of the Gospel and an educator, a friend to his fellowman.

E. W. Winkler.

Svenskarne I Texas I Ord Och Bild. 1838-1918. Ett historiskt-biografiskt arbete samladt och utgivet af Ernest Severin. Redigeradt och utarbetadt af dr. Alf. L. Scott och Pastor T. J. Westerberg. Granskadt och oversedt af red. J. M. Ojerholm. 2 Vols. I, pp. 1-604, II, pp. 606-1209 I-XIX. Austin, 1919.

Three years the publisher, Mr. E. Severin, and his coworkers, among them some of the best known Swedes in Texas, have spent in collecting and preparing the biographical, historical, and other material here presented in a form that is a credit to all concerned.

The publisher's purpose as stated in the preface is primarily to preserve for future generations an authentic collection of historical and statistical data, with photographic reproductions, both of men and things, relating to and illustrating the life and activities of the Swedes in Texas from their first landing in 1838 to the present day. Though the authors may be thinking first of the future, it would be an injustice to say that they are forgetful of the present. Quite the contrary. Their work performs a distinctly patriotic duty; for while the main body of the work consists of biographies of the different members of some fifty-seven Swedish settlements in Texas, with good reproductions of photographs of families that show no signs of impending race suicide, it is prefaced, so to speak, by an account of Texas and its various institutions. Here the older generation may read in the language still most familiar to them the history of Texas, a brief but adequate account of its physical features and characteristics, its natural resources, its forests, waterways and railways, its climate, its form of government and its educational institutions—the Swedes have two of their own among the latter, namely, the Texas Wesleyan College at Austin, and Trinity College at Round Rock. The history of the growth of various religious bodies, choral and other societies, are not forgotten. Of especial interest to the historian will be the chapters dealing with the conditions of early pioneer life in Texas and the story of the first Swedes in Texas. In this connection someone may be interested in another book recently published, namely, *"Hyphenated or the Life Story of S. M. Swenson,"* by Aug. Anderson. Quite appropriately the second volume closes with the names and photographs of the Swedish boys who served in the recent war. We know that they have given a good account of themselves.

J. L. Boysen.

The *Missouri Historical Review* during the past year published a translation of Gottfried Duden's *Bericht über eine Reise nach den westlichen Staaten Nordamerika's und einen mehrjährigen Aufenthalt am Missouri (in den Jahren 1824, 25, 26 und 1827) in Bezug auf Auswanderung und Uebervölkerung* . . . Elberfeld, 1829. This volume is credited with having greatly influenced emigration of Germans to the United States. In the October, 1919, number of the *Review,* Professor William G. Bek

begins a series of articles, entitled "Followers of Duden." The present installment is made up largely of translations of letters and extracts from the diaries of Hermann Steines, written in 1833. The author summarizes the purpose in presenting the series of articles in the following sentence: "We shall let them give the picture of Missouri as they found it, the native population with whom they associated, their struggle with primitive conditions, the impression and the joy which was theirs in coming from one of the most autocratic to one of the most liberal countries in the world, their honest criticism of what they found and experienced here, their honest endeavor to become in the fullest sense, one with the state in which they elected to cast their lot, their contributions, their successes and their failures."

"Sam Houston in Indian Territory" is the title of the leading article in *Historia,* July, 1919, published by the Oklahoma Historical Society. Any new facts this article may contain are placed under suspicion by the manner in which they are told and by the glaring errors where well known facts are touched.

A paragraph at the end of the article states that "During his life Temple Houston made an elaborate collection of rarities including numerous relics from his father General Houston. . . . Some years after the demise of Temple, this collection was placed with the Oklahoma Historical Society, and is now on display" . . .

Historia for October contains "More about Houston in Oklahoma." In character this article is like that printed in the July issue. However, it quotes a brief article from the Sunday Oklahoman, written by Mr. S. W. Ross, a native of Oklahoma. Mr. Ross pays his respects to "sentimentalists and others ignorant of early day history."

The Servers: A novel of reconstruction and social progress, embracing practical plans for unlimited Christian service. By Joseph Erwin Wilson. Houston: The Author. 1919. Pp. 377. The subtitle outlines the serious side of the book. Oil wells furnish the means for the experiment. A couple of love stories make the plans workable and the book readable.

NEWS ITEMS

Mr. S. W. Fisher, of Austin, recently presented to the University of Texas several important historical documents. They are: (1) The Constitution of the Proprietors of the Town of Matagorda, dated July 8, 1830,—the original proprietors being Elias R. Wightman, Stephen F. Austin, representing the estate of his brother, J. E. B. Austin, H. H. League, and Ira Ingram. (2) A petition of Stephen F. Austin to the alcalde's court, July 6, 1830, for authority to enter the association of proprietors as administrator of his deceased brother's estate, and the order of the alcalde granting the petition. (3) The minutes of meetings of said proprietors from August 1, 1830, to April 26, 1838. (4) An original copy (printed) of the funeral notice of Stephen F. Austin, dated December 28, 1836. These papers came to Mr. Fisher through his grandfather, S. Rhoads Fisher. Among the papers, in a leather bill book, was a lock of hair, labeled in S. Rhoads Fisher's handwriting as Stephen F. Austin's.

Professor Eugene C. Barker is preparing for publication the collection of manuscript and printed documents known as the Austin Papers, which was preserved by Moses and Stephen F. Austin and bequeathed to the University of Texas by Colonel Guy M. Bryan, Moses Austin's grandson. These papers cover a wide range, dealing with the business of the Austins successively in Philadelphia, Virginia, Missouri, Arkansas, and Texas; and their publication will reveal Stephen F. Austin as one of the great commonwealth builders in American history. Professor Barker is anxious to make the collection of Austin's writings as complete and comprehensive as possible, and will therefore appreciate assistance from anyone who possesses, or knows of, any letters or other writings of Austin.

Dr. S. O. Young has an article in the Houston *Chronicle* of December 7, 1919, about the Houston *Telegraph;* E. H. Cushing, the editor, is called a news wizard; the facilities for gathering news during the Civil War—the "special train" from Orange, and

the "pony express" from Shreveport—and the "Extras" are the subjects of reminiscence.

A reader wants to know what the "R" stands for in Hardin R. Runnels's name. Inquiry among oldtimers brought the answer "Dick" or Richard. This information is confirmed by his nephew, Mr. Howell W. Runnels, of Texarkana, and by Moses T. Runnels's *Genealogy of Runnels and Reynolds families in America.*

Under the title "Some loose leaves of Texas history," Mr. Harry T. Warner prints in the Houston *Post,* of December 7, 1919, items selected from files of the Houston *Telegraph* of 1837 and 1838.

Mr. Ben C. Stuart publishes in the Galveston *News* of November 23, 1919, an article on smuggling Africans into Texas during the period from 1816 to 1838.

BUSINESS MEETING OF THE ASSOCIATION

The annual business meeting of the Association will be held at Austin, Room 158 of the Main Building of the University of Texas, Tuesday, March 2, 1920, at 10 o'clock.

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MIRABEAU BUONAPARTE LAMAR

A. K. CHRISTIAN

CHAPTER III

PRESIDENTIAL ADMINISTRATION: DOMESTIC AFFAIRS

In an address to the Senate, November 5, 1838, on retiring from that body preparatory to his inauguration as President, Lamar stated that it would be inconsistent with the occasion to call attention to any specific measures which he might desire, but he considered it proper to say that a crisis had arrived when the question of separate national existence was to be settled.

If we will but maintain our present independent position—diffuse knowledge and virtue by means of public education—establish a sound and wholesome monetary system—remove the temptation and facilities to every species of peculation and unrighteous gain—make truth, virtue and patriotism the basis of all public policy—and secure the confidence of foreign nations by the wisdom of our laws and the integrity of our motives, I cannot perceive why we may not, within a very short period, elevate our young republic into that political importance and proud distinction which will not only command the respect and admiration of the world, but render it the interest of the nations now discarding our friendship, to covet from us those commercial relations which we vainly solicit from them.[44]

In his inaugural address on December 10, while refraining from announcing a policy on domestic affairs, he came back to the idea of independence, expressed in his address to the Senate. He said

[44]*Lamar Papers*, No. 867.

that notwithstanding the overwhelming sentiment in favor of annexation, he had never been able to discover any advantage, either civil, commercial, or political in forming a connection with a country already torn with strife. In his first annual message to Congress, December 21, he did outline his policy with regard to the administration.

In this message, which was a long one, he recommended the appropriation of land for the establishment of a public school system and a University; a uniform municipal code; the establishment of the Common Law of England by Statute; the gradual return to free trade, and substitution of direct taxation for import duties; the establishment of a national bank. He announced that his policy towards the Indians would be directly opposite to that of his predecessor, who was held to have been too lenient. He hoped for recognition of Texan independence by the European governments, and for a favorable commercial treaty with the United States.[45]

In discussing the action of Congress on these recommendations I shall take up the policies of the President in more detail. As there was no further action taken either by the President or Congress on the subject of a national bank, I shall give at this place an outline of the plan suggested by Lamar.

After expressing strong objections to private incorporated banks, and tracing the history of the Second United States Bank, claiming that the United States Bank had created a sound currency, he expressed himself as favoring a national bank owned exclusively by the government. It should be incorporated for a suitable number of years, founded on a specific hypothecation of a competent portion of the public domain, with the guarantee of public faith, and an adequate deposit of specie. It was to be the depository of public funds, and was to deal in foreign exchange. He realized that real estate was not readily commutable, and that the daily needs of commerce and trade needed specie itself, or "that active and undoubted credit, of which a known and sufficient deposit of the metals, or something equivalent to them, is the proper basis." He had no plan for securing the specie, but trustfully dismissed the matter by saying, "It is believed the proposed bank would be

[45]*Telegraph and Texas Register*, December 26, 1838; *Lamar Papers*, No. 948.

amply furnished with that equivalent—and to all necessary extent with the actual metallic deposit itself."

The directors were to be chosen from the best qualified men of the country without reference to their political opinions. The whole number of directors was to be divided into three sections, one section to retire every year without reeligibility until after three years. The Congress was to elect the directors by joint ballot, and the Senate was to appoint the president of the bank on the nomination of the President of the Republic. He ended by saying that he had spent so much time on it because he felt strongly its importance. Notwithstanding the time spent in thinking out such a scheme, and the large proportion of the message applied to it, no effort was made to follow it up with legislation. It is only an instance of Lamar's inability to follow out in practice the schemes he was able to suggest.[46]

I. Education

Next to the plan for a national bank, Lamar devoted the greater part of his message to a discussion of the need of public education, and to an outline of a policy. The people of Texas had been too busy to attend to the establishment of an educational system. Under the administration of Houston various schools and colleges had been chartered, but this in no sense constituted the establishment of a system of public education aided by the State. Hence, Lamar can be credited with initiating and carrying through a school system which was to become permanent, and is the foundation of the public school system in Texas today.

He had given a hint of his attitude toward public education in his address to the Senate on November 5. In his message of December 21, he said that if it was desired to establish republican government upon a broad and permanent basis, it would be the duty of Congress to adopt a comprehensive and well regulated system of moral and mental culture. Every person had an inter-

[46]His advocacy of a national bank is probably an echo of the struggle for a recharter of the Second United States Bank. During the Nullification struggle Lamar became definitely estranged from Jackson to the extent of adopting some of the principles of the other party. The training he received in Georgia from 1825 to 1835 is constantly showing itself in his Texas activities. It is interesting to note that Houston, who was an ardent admirer of Jackson throughout, ridiculed Lamar's idea of a national bank.

est in public education, he said, and the subject was one in which there were no jarring interests involved, and no acrimonious political feelings excited. "It is admitted by all," he continued, "that cultivated mind is the guardian genius of Democracy, and while guided and controlled by virtue, the noblest attribute of man. It is the only dictator that freemen acknowledge, and the only security which freemen desire." His recommendation was that "a liberal endowment which will be adequate to the general diffusion of a good rudimental education in every district of the Republic, and to the establishment of a University where the highest branches of science may be taught, can now be effected without the expenditure of a single dollar—postpone it a few years, and millions will be necessary to accomplish the great design." His idea was that an appropriation of lands for that purpose would be no hardship, and would constitute the best endowment for the school system.

The part of the message relating to education was submitted to the committee on education in the House, and early in January a bill was presented in harmony with Lamar's suggestions. It speedily passed both Houses of Congress and received the signature of the President on January 26, 1839. It provided that each county should have, in tracts of not less than 160 acres, three leagues of land for primary schools. If a county did not have within its limits enough good land vacant, it was entitled to survey any unoccupied land in the Republic. For two colleges or universities fifty leagues were to be set aside, and not to be disposed of except by lease.[47] On the same day an act was passed incorporating the "College of DeKalb." The act named a board of superintendents or trustees, exempted the property from taxation, authorized the board to employ teachers, suppress nuisances, and collect a fine from any liquor dealers within a half mile of the college. Four leagues of land were granted by Congress to this institution for buildings and apparatus, and for the promotion of arts, literature and sciences. This was but one of several acts appropriating land in aid of private institutions.

The act appropriating lands for the benefit of a general school system, January 26, 1839, like so many acts of the Republic, provided no method of administering its provisions. The next ses-

[47]Gammel, *Laws of Texas*, II, 135.

sion of Congress took steps to remedy this defect. On February 5, 1840, an act was approved "to provide for securing the lands formerly appropriated for the purposes of Education." The Chief Justice and the two Associate Justices in each county were designated as school commissioners. They were instructed to locate the three leagues provided for under the Act of January 26, 1839, as early as possible, and to cause to be surveyed and sold an additional league for the purchase of scientific equipment, one-half of the proceeds to be used for the benefit of an academy in each county, and the remainder distributed equally among the common school districts. The commissioners were to establish schools, and examine applicants for positions as to good moral character and literary qualifications. They were not to grant certificates to teach in academies unless the candidates gave satisfactory evidence of good moral character, and were graduates of some college or university; for common schools the applicants should be of good moral character, and be able to teach reading, writing, English grammar, arithmetic, and geography.[48]

It should be said that the generosity indicated by these acts was more apparent than real. The settlers in Texas were few and land was abundant. Besides, the frontiers were surrounded by hostile Indians, who interfered with the survey of the lands. This situation, and the lack of specie, led to a delay in securing the lands appropriated, and it is probable that only a small quantity had been actually taken up by the counties entitled to it when the Republic came to an end. The acts are important, however, as furnishing the foundation for the educational system subsequently established.

Another interesting suggestion, which seems to have received no attention, is found in Lamar's second annual message, November 12, 1839, when he advocates the creation of the "Home Department." This was to have supervision of a system of education suited to the condition and policy of the country. "Congress at its last session," he said,

> in accordance with a wise, liberal, and enlightened policy, made large appropriations of land for the endowment of colleges, academies, and primary schools. But the appropriations, though liberal, will require the utmost care and management and applica-

[48] *Ibid.*, 320-322.

tion, to make them equal to the important work which is to be achieved. In their present condition, they can be regarded only as the foundation of a fund, which, by judicious measures, and well digested plans of operation, may be husbanded and increased until it shall be amply sufficient for all the purposes intended; but, without such measures, it may be frittered away in useless experiments, or swallowed up in the prosecution of visionary schemes, which can result in no permanent good to the country. It is, therefore, my deliberate opinion that if no other advantage was expected to be derived from the establishment of a bureau of education, than such as would result from a judicious management of its funds, that advantage alone would be sufficient to justify the expenses required for the support of such a bureau.

One advantage of this would be a uniform system in the schools and universities, which would maintain "the sacred principles of free institutions." If despotic systems could maintain themselves by a system of national education, he asked, why could not a representative republic? He would say to the government, "Open wide the doors of knowledge, but keep the key of the temple."[49]

II. Finances

From the beginning to the end of the existence of Texas as an independent republic, the most serious problems confronted by her statesmen were in raising revenue and providing for the financial administration. With little money except that contributed by friends in the United States, she became independent in 1836, just before the panic of 1837 swept over the United States and brought about a failure of that source of funds during the trying days when the people of Texas were attempting to establish their government. In the absence of specie, many expedients were tried to provide funds for the government and as a circulating medium for trade. A moderate tariff on imports, an unenforced and unenforceable direct tax, and a foreign loan were tried, and, these all failing to supply funds, the printing presses were put to work turning out paper money which depreciated as soon as issued. When Lamar assumed the presidency in December, 1838, he found all these methods of raising money in use.

By the ordinance creating the provisional government, passed by the Consultation, November 13, 1835, power was granted to

[49]*Telegraph and Texas Register*, November 27, 1839.

the General Council "to impose and regulate imposts and tonnage duties, and provide for their collection under such regulations as may be the most expedient." Under the authority of this provision the General Council in December, 1835, passed an ordinance creating collection districts and providing for the collection of duties on imports at a rate of 25 per cent *ad valorem.* No duties were collected under this act, however, and on March 12, 1836, the constituent convention declared that the provisional government had exceeded its authority in levying import duties, and ordered a refund if any duties had been paid.[50]

The first Congress under the Constitution met early in October, 1836, and in his message to Congress President Burnet said:

> Duties on imports, and in some cases on exports, constitute a convenient and economical mode of supplying the public necessities, and are less onerous to individuals than almost any other impost. . . . When the abundant intrinsic resources of our country shall be fully developed, then it may be the glory of Texas to invite kindred nations of the earth to an unembarrassed intercommunication of their diversified products.[51]

Acting in harmony with this suggestion Congress passed a tariff act, to become effective June 1, 1837, which was signed by Houston, who had, in the meantime, been inaugurated as the first President under the Constitution. The policy of the government, as indicated by this act, was to place a rather heavy duty on luxuries and a comparatively light one on necessities. For example, on wines and silks an *ad valorem* duty of 45 and 50 per cent, respectively, was charged, while on necessities, such as breadstuffs, coffee, sugar, and other articles, the duties ranged from 1 per cent to 10 per cent *ad valorem.* All unenumerated articles were to pay duty at the rate of 25 per cent *ad valorem,* as in the act of December, 1835, under the provisional government. No provision was made for collection districts, and no collectors were appointed before the enactment of another tariff act in June, 1837.[52]

On June 12, 1837, a more comprehensive tariff bill was ap-

[50]Christian, "Tariff History of the Republic of Texas," in *Southwestern Historical Quarterly,* XX, 316.

[51]First Congress, First Session, *House Journal,* 13.

[52]Christian, "Tariff History of the Republic of Texas," in *Southwestern Historical Quarterly,* XX, 318.

proved by the President. The preamble to the act declares its purpose to be to raise a public revenue by import duties, to aid in defraying the public expenses, sustaining the public credit, and securing to the public creditors a fair annual or semi-annual interest on their stock in the funded debt. Most foodstuffs were admitted free of duty, the list consisting of breadstuffs, including corn, wheat, barley, and oats; pickled beef, salted and smoked pork, neat's tongue; potatoes, beets, beans, rice, and vinegar. Another free list included tools of trade, lumber and building materials, firearms and ammunition. Luxuries were required to pay a high duty, as in the earlier act, and on all unenumerated articles the rate was to be 25 per cent *ad valorem*. This act was amended in December by an act which materially extended the free list by adding sugar, coffee, tea, salt, iron, steel, household furniture, cotton bagging, bale rope, books, stationery, machinery of all kinds, wagons, carts, harness, and all necessary farming utensils. This act continued unchanged until February, 1840.[53]

Two direct tax acts were passed before the beginning of Lamar's administration, the first on June 12, 1837, and the second on May 24, 1838. The first provided for an *ad valorem* tax of one-half of 1 per cent on all property, and for cattle and horses belonging to citizens of the United States, one dollar a head.[54] In the act of May 24, 1838, the policy of enumerating the property was adopted, and the list subject to direct tax included land, slaves, horses over two in number, cattle over twenty-five in number, watches, clocks, and pleasure carriages. The rate continued as in the first act.[55]

Opposition to the tariff developed before the system got under way. While the act approved December 18, 1837, was under discussion in Congress a resolution was introduced in each House calling for the abolition of all tariff laws. The resolution failed to come to a vote in the House, but in the Senate it was defeated by a vote of seven to three.[56] In the Third Congress, which met on November 5, 1838, several resolutions similar to the ones in-

[53]*Ibid.*, 321-324; Gammel, *Laws of Texas*, I, 1313, 1314, 1490.

[54]Gammel, *Laws of Texas*, I, 1319.

[55]*Ibid.*, I, 1514.

[56]Christian, "Tariff History of the Republic of Texas," in *Southwestern Historical Quarterly*, XX, 325.

troduced in the preceding Congress were introduced in both House and Senate and referred to committees.

While these resolutions were under consideration by the committees the *Telegraph and Texas Register,* one of the most influential newspapers of Texas during this period, came out in support of them. The editor, Francis Moore, Junior, in discussing the resolutions for the abolition of the tariff, said that he had long desired to see such a measure carried into effect. He thought that whatever sums were needed to defray the expenses of government were better raised by a direct tax; that duties were unequal, unjust, and evaded by smugglers. The tariff was not necessary to maintain the standard of the currency, he said, as that was maintained by the confidence of the people. He thought that free trade would be wise, as the adjoining States of the United States and Mexico would be induced to get their supplies through Texas, since they were suffering under a burdensome tariff system.[57]

This, then, was the situation when Lamar came into office on December 10, 1838. Moderate tariff and direct tax laws were on the statute books, but the campaign for free trade and increase of direct taxes had begun. In his message to Congress on December 21, Lamar sympathized with the free trade idea, but advised against any change in the tariff laws until some other system could be devised as a sustitute. "The decided bias of my mind," he said,

> is for the total abolition of all duties on imports, not only because it would comport with that freedom of commerce so closely connected with the fundamental rights of man, but because it would be peculiarly adapted to the future condition and policy of Texas. While I am aware, that by indirect taxation in the nature of a Tariff, the people bear the burden as consumers without scarcely perceiving it, . . . yet still I look forward to a period (I hope near at hand) when we shall be able, and will find it to our interest, to invite the commerce of the world to our free and open ports. This, however, from considerations of a high public policy, may not be done until our national independence shall be generally acknowledged. The radical policy of Texas is anti-tariff, . . . yet the immediate adoption of free trade as is proposed by many of our citizens and statesmen, would in the

[57]*Telegraph and Texas Register*, November 14, 1838.

present situation of our country exhibit an apparent recklessness and imprudence, which could not fail to affect our credit abroad.[58]

The House committee to which had been referred the various resolutions and petitions on the tariff agreed with Lamar that no change should be made at that time. The only alternatives to the tariff as a source of revenue were direct taxes and loans, neither of which was advisable or practical at that time—besides, all articles of prime necessity were admitted free of duty. The Senate committee, on the other hand, after agreeing that it was inexpedient to abolish the tariff until a loan could be effected or direct taxes levied on all lands, examined the arguments for and against the tariff, and came to the conclusion that all tariff laws should be blotted from the statute books. The strongest argument for repeal, they thought, was that the Republic would receive more favorable notice from England and a recognition of independence if free trade were adopted, and that recognition would expedite the making of a loan. Finally, they thought that a land tax was much more just and equal. Both Houses having adopted the recommendation of the President, all tariff bills were dropped for that session of Congress.[59]

The ministers sent to the United States and the European countries were instructed to hold out a promise of commercial concessions in Texas in return for recognition of independence or a favorable commercial treaty. On November 7, 1838, a most favored nation agreement was entered into with France, and a year later recognition was extended by that country and a treaty of amity, commerce, and navigation was drawn up. As a result of this treaty, and because negotiations were under way with England, Holland, and Belgium, which might be aided by a reduction in the tariff, an act was passed in February, 1840, reducing the tariff almost to a free trade basis. The general rate of this tariff was 15 per cent *ad valorem,* payable in any kind of currency, and, as depreciation was very great, the actual rate was nearer 3 per cent. In February, 1841, the rates were increased to 45 per cent *ad valorem,* in order to provide for the depreciation, but the

[58]Third Congress, *House Journal,* 180, 181; *Lamar Papers,* No. 361; *Telegraph and Texas Register,* December 26, 1838.

[59]Christian, "Tariff History of the Republic of Texas," as cited, XX, 329.

specie basis continued as in the act of 1840. This free trade policy continued throughout the administration of Lamar.

To meet the needs of the government under the anticipated reduction of the tariff duties, a comprehensive direct tax law was passed. Before this direct taxes had played a minor part in the finances of the Republic, with the opponents of a tariff advocating a direct tax as more just and equal than an indirect tax. By the act of 1840 only a few articles were subjected to an *ad valorem* tax, but a large number to a specific tax. Practically all businesses were reached by license taxes. The failure of this measure to supply revenue, together with the depreciation, were responsible for the revision upward in 1841.[60]

Another policy adopted by the preceding administration for securing revenue was through a foreign loan. On November 18, 1836, shortly after the constitutional government came into office, the first of the five million dollar loan acts was passed. The bonds were to run from five to thirty years and bear interest at the rate of 10 per cent, and the public faith, the proceeds from land sales, and all land taxes after 1838, were pledged to guarantee the interest and final redemption.[61] This law was modified slightly by an act of May, 1838, in order to make the bonds more salable. Commissioners were sent to the United States to sell the bonds, but at the accession of Lamar no sales had been made. In his message to Congress he expressed himself as favoring a further effort to secure a foreign loan, and suggested a modification of the previous acts.

The law of January 22, 1839, followed out his suggestions. In addition to the public faith, the proceeds from land sales, and the land taxes, this law pledged the revenues from customs to guarantee the semi-annual interest, and to create a sinking fund.[62] This was modified further by the act of January, 1840, whereby the sinking fund was to be $300,000 or more, to be provided from the sale of public lands, or if the lands should not be brought on the market, from other revenue.[63]

It would be unprofitable to follow out in detail the various

[60]*Ibid.*, XX, 336-338; XXI, 1.

[61]Gammel, *Laws of Texas*, I, 1092-1093.

[62]*Ibid.*, I, 1484.

[63]*Ibid.*, II, 230.

efforts to secure a loan in the United States and Europe.[64] On December 24, 1838, James Hamilton of South Carolina, who had interested himself in the affairs of Texas and had assisted the Texan commissioners under the act of May 16, 1838, was appointed as loan commissioner to assist the commissioner appointed by Houston. In the fall of 1839, the commissioners succeeded in securing from the Pennsylvania Bank of the United States the sum of $457,380 in return for the 10 per cent bonds of Texas. With this loan in the United States the commissioners went to Europe, where for two years they were active in France, Belgium, and Holland. At one time in 1841 it seemed that they were about to secure the guarantee of the French government for the bonds, and the banking house of Lafitte and Company were on the point of opening books for their sale, when the unfavorable report of Saligny, the minister to Texas, caused the French government to withhold the guarantee, and the banking company refused to handle them. All efforts to secure a foreign loan failed, and during the succeeding administration the loan acts were repealed.[65]

During the whole of Lamar's administration optimistic and pessimistic reports alternated with regard to the loan negotiations, and the people were kept in a state of excitement. It seems certain that anticipation of success caused extravagance on the part of the government and speculation on the part of the people, while paper money was issued to be retired by the loan.

Lamar has been criticised by contemporaries and historians for the extensive use of paper money during his administration, but in this he was not the first offender.[66] The constitutional government inherited from the provisional government a debt represented by audited treasury drafts amounting to more than a million dollars. The constitutional government passed an act on June 7, 1837, for funding these liabilities. This act provided that all claims against the government, after having been audited, were to be received at par in exchange for ten per cent bonds. Until June 12, 1837, audited drafts were received in payment of all

[64]An extensive discussion of the loan negotiations is found in H. R. Edwards, "Diplomatic Relations between France and Texas," in *Southwestern Historical Quarterly*, XX, 225-241.

[65]Miller, E. T., *A Financial History of Texas*, 60, 61.

[66]Miller, *A Financial History of Texas*, 59-82, gives an exhaustive account of the public debt of Texas under the Republic. For statistics and other material I am indebted to this volume.

government dues, though they were not made legal tender as between individuals. Before this the depreciation had brought their specie value to fifteen cents on the dollar. The amount of drafts issued to the beginning of Lamar's administration was $2,105,892.82, while during his presidency the amount was $4,881,093.47.[67]

The act of June 9, 1837, started Texas upon her tempestuous experience with paper money. It authorized and required the president to issue the promissory notes of the government to the amount of $500,000, in denominations of not less than $1 nor more than $1,000, payable twelve months after date, and drawing interest at 10 per cent. There were pledged for their redemption one-fourth of the proceeds of the sales of Galveston and Matagorda islands, 500,000 acres of land, all improved forfeited lands, and the faith and credit of the government. The notes were to be paid out only for the expenses of the civil departments of the government, except $100,000 for the purchase of horses and munitions of war, and they were receivable in all payments to the government.[68]

At the beginning of Lamar's administration more than $800,000 of these notes had been issued and were in circulation. It must be said, however, that Houston disapproved excessive issue of treasury notes, and vetoed a bill to increase the amount to $1,000,000 on the ground that an increase would destroy the value of the notes already issued.[69] The depreciation of the notes at the beginning of Lamar's administration was from fifteen to fifty per cent.

The first paper money issues of Texas had served a valuable purpose as a temporary expedient, said Lamar in his first message to Congress, "but experience admonishes us that to urge it further, or continue it longer, would be equally injudicious and prejudicial." In the place of currency issued by the government he favored currency issued by the national bank, which he advocated with so much fervor, and the bank was to issue the currency on specie which would be secured through a foreign loan.[70] In spite of this apparent turning away from paper money, however, Lamar approved, during his administration, bills providing for almost

[67]Miller, *op. cit.*, 65.

[68]Miller, *op. cit.*, 67.

[69]*Ibid.*, 69.

[70]*Lamar Papers*, No. 361; *Telegraph and Texas Register*, December 26, 1838.

unlimited issue of money based on nothing more than the faith in the government.

The contribution of Lamar's administration to the paper money of the Republic was the "red backs" or non-interest bearing promissory notes. By the act of January 19, 1839, requiring the stock books to be opened for funding the government liabilities, it was provided that the notes thereafter issued should not bear interest, and should be receivable for all government dues. The only thing that prevented their use as unlimited legal tender, apparently, was the provision in the Constitution against the use of anything save gold and silver as legal tender. Further additions were authorized by the act of February 5, 1840, and the act of February 5, 1841, placed no other limit on the issue than the amount of appropriations.[71] From January 1, 1839, to September, 1839, there were $1,569,010 of notes issued, and from September, 1839, to September, 1840, $1,983,790, a total of $3,552,800. The expenditures of the Lamar administration are responsible for this enormous increase in the public liabilities.

The first issues of the red-backs were valued only at about 37.5 cents on the dollar; in November, 1840, they had fallen to 16.66 cents; and at the close of Lamar's administration in November, 1841, they varied from 12 to 15 cents. The New Orleans quotations were for July 7, 1841, 11 to 13 cents; for September 22, 13 to 15 cents; for November 24, 12 to 13 cents; for December 15, 10 to 12 cents; and for January 5, 1842, 8 to 11 cents. After 1839 the notes ceased to circulate as a medium of exchange and became merely objects of speculation.[72]

Various funding schemes were undertaken to relieve the condition of the currency, but none of them was effective, and the administration came to a close with the country almost bankrupt.

The explanation for the excessive use of paper money is to be found in the consistent expenditure in excess of receipts. There was not a year in the period of the Republic when the expenditures were not greatly in excess of the receipts. During Houston's administration the receipts from all sources amounted to $260,780 while the expenditures amounted to $1,777,362. The receipts during the three years of Lamar's administration amounted to

[71]Miller, *op. cit.*, 69.
[72]Miller, *op. cit.*, 70.

$1,083,661 and the expenditures for the same time were $4,885,-213.[73]

The great increase in expenditures during Lamar's administration is due to the policy of warfare against the Indians, the great increase in the civil list, the payment for the navy contracted for under Houston's administration, the removal of the Capital from Houston to Austin, and for the Santa Fé expedition. The civil list in the first year of Lamar's administration was $550,000 as compared with $192,000 for the last year of Houston's administration. After the first year the civil list declined, being $347,671 for 1840 and $255,100 for 1841. The heaviest appropriations were for the army in both administrations. The first year of Houston's administration $700,000 were appropriated for the army. This increased the following year. The first year of Lamar's administration the appropriation for this purpose amounted to $1,140,000; the second year, $1,056,369; while for the third year it dropped to the lowest figure since the beginning of the Republic, $111,050. The explanation for the increase in 1839 and 1840 is to be found in the Indian policy pursued. During the first two years of his administration Lamar pursued a policy of constant warfare against the Indians, expelling some of the tribes from the country and punishing others so that they

[73]The following tables compiled by Professor E. T. Miller of the University of Texas illustrate the difficulties under which the government was working, and explain the financial conditions in the Republic. (*A Financial History of Texas*, 391.)

Revenues of the Republic

1836-1838	$ 260,780
1839	187,791
1840	453,235
1841	442,635
1842-1844	457,518
1844-1846	385,023

Expenditures

1836	$ 495,295
1837	945,961
1838	831,401
1839	1,504,173
1840	2,174,752
1841	1,176,288
1842	198,051
1843	147,274
1844	147,850
1845	243,538

removed to the frontier and made only occasional raids against the Whites. A comparative statement as to the expense of the various Indian policies was prepared by the comptroller in 1854. It showed that during Houston's first term $190,000 were expended on account of the Indians. Lamar's term cost $2,552,319 on that account. Houston's second term, 1841-1844, called for an expenditure of $94,092, while the term of Jones called for only $45,000.[74] The navy represented the next largest appropriation. For this object there were appropriated in 1839 the sum of $380,455, and in 1840, $525,000.[75]

The great expenditures and the depreciation of the currency during the first two years of Lamar's administration naturally reacted on public opinion. The *Austin City Gazette,* which was established shortly after Austin became the capital, became the mouthpiece of the opposition to Lamar which centered in Sam Houston. On March 13, 1840, it had this personal criticism of Lamar:

> Apart from politics, and as a private citizen, we shall ever respect him for his literary acquirements, his amiable disposition, and unassuming manners; but, as President of the Republic, we must, in common with a large portion of our fellow citizens, condemn many, very many of his acts; not that we blame the heart so much as the easy disposition of the man. It is there that the mischief lies: he allows others to think—to act for him.

On October 21, 1840, the same newspaper had this to say with regard to the financial condition:

> Texas promissory notes are worth about fifteen cents upon the

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Public Debt

1836	$1,250,000
1837	1,090,984
1838	1,886,425
1839	3,855,900
1840	6,241,409
1841	7,446,740
1846	9,949,007

Treasury Note Circulation

1838	$ 684,069
1839	2,013,762
1840	3,287,962
1841	2,920,860
1846	2,674,447

[74]Miller, *op. cit.*, 391; Yoakum, *History of Texas*, II, 341 n.

[75]Miller, *op. cit.*, 391.

dollar—there is little prospect of a loan—the taxes are not promptly paid; and if they were, would only return to the treasury, at par, that which was issued for less than one-sixth of the amount. The continual issue of this sort of currency can have but one tendency now, and that is, to depreciate it still further. In this exigency, what are we to do? All the officers of government, from high to low, have been required to receive its issues at par, in payment of their salaries. This has not raised it: but it has impoverished them; and now an ordinary day laborer receives more of it per diem than any civil officer under the establishment. . . .

We are at the lowest round of the ladder. Congress will soon convene, and the pay of its members will not purchase their food. The members cannot live upon patriotism; and many of them have nothing else but that and their pay to live upon.

Houston was a candidate for the presidency from the close of his first term in 1838 until his re-election in 1841. The constitutional inhibition of consecutive terms prevented his being a candidate for immediate re-election, and his unpopularity at the close of his first term would have made doubtful his re-election. In order to gain support he put himself at the head of an anti-administration party, and used the faults of the administration with considerable political skill in developing support for his candidacy. He became a member of Congress in 1839, and his opposition to the President as a congressman led to the nomination of an opposition candidate in his district in 1840, but Houston was returned by a good majority. After his re-election to Congress in 1840 he received an invitation from his constituents in San Augustine to a public dinner. Declining on account of prevailing sickness, he used the opportunity to attack the administration of Lamar and incidentally make political capital for the following year. "The approbation expressed by my fellow countrymen," he said,

touching my military, executive and legislative duties, which have devolved upon me during the important crisis through which Texas has passed, is peculiarly gratifying to me. Whether I am in private or public station, I must ever feel unceasing devotion to the prosperity of my country. Viewing the condition of the nation, we have much to deplore; but our situation is not such as to induce us to despair of ultimate success and prosperity. The finances of the nation have been destroyed by the excessive issue of treasury notes; the useless and extravagant expenditures of the

government! Nothing profitable has been produced to the country! The frontier is unprotected, our citizens have been called from their homes with necessity, when their presence was all important to their crops—the only means of subsisting their families!—the regular army inactive, though millions have been expended in its creation; the Indians harassing our citizens, and penetrating our country even to the seaboard; our credit destroyed; the citizens oppressed by taxes for the want of a sound currency, and our national debt increased six-fold within the last year. It is vain to attempt concealment of our situation any longer from the public eye,—the depression of every class of the community proclaims that there is rottenness to the core.[76]

This picture of conditions was essentially correct, though given by a political opponent, who had himself been unable to resist the tendencies which had caused the downfall of the administration of his successor. This denunciation of the policies of Lamar was possibly called forth by Lamar's attack on the preceding administration in defense of his own. Characteristic of this method of defense is Lamar's letter in response to an invitation to a public dinner extended by some citizens of Galveston. "When I came into office," he said,

the country was in a disorganized condition throughout its various departments, civil and military. The public offices were in a state of chaos and confusion; the military strength of the nation was unknown and unorganized; the army had been reduced to a mere skeleton and the navy annihilated. If either had an existence, it was nominal merely, and they were incapable of any useful purposes. Our inland frontier exhibited a melancholy scene of Indian ravages and massacres whilst our entire coast, exposed and unprotected, might have been harassed at any moment, and our coast blockaded by a single armed vessel. . . . To systematize the various departments; to establish a strict accountability in the discharge of the public trust; economize the national resources; extend protection to our bleeding frontier; and to place the country as speedily as practicable in a state of defence against all its enemies, whether savage or civilized, by organizing the militia,—creating a new army, resuscitating the navy, and supplying the general deficiency of arms, ammunition and military stores, were among the early objects of my contemplation. . . .[77]

[76] *Austin City Gazette*, October 7, 1840.

[77] Lamar to citizens of Galveston, June 2, 1840, *Lamar Papers*, No. 1810.

The Fifth Congress assembled on November 2, and the speaker, David S. Kauffman, in his opening remarks said:

But *seven* members of the last House have been deputed by the people to join in the labors of this! The destinies of Texas have been committed to other, and, I earnestly trust, abler hands. What has produced this extraordinary revolution? We cannot believe that our predecessors were dishonest or incapable; but we *know* that they failed to satisfy the expectations of an anxious and confiding people. What was their error? The voice of a nation answers: They increased, instead of diminishing, *the national expenditures.* Let us, then, gentlemen, with one accord, resolve to avoid the rock on which they split.[78]

Lamar recognized the demand for some reform in the matter of finances. "Amongst the various duties which will claim the attention of Congress during the present session," he said in his annual message,

there are none more important than those which relate to the fiscal affairs of the government. That a system of finance should be adopted, if practicable, which will, to some extent, relieve the pecuniary embarrassments of the country, is so obviously necessary, that it can require no argument from me to enforce it. The entire expenditures of the government, embracing everything that is required, for the successful administration of its civil, military, and naval departments, would probably not exceed four hundred thousand dollars a year, if these expenditures could be met with funds not depreciated in value, and when it is known that the revenues of the nation as provided for by law, if faithfully collected, would amount annually to nearly one million dollars, it would seem that a system might be devised which would not only remove present embarrassments, but which could be gradually extended to the extinguishment of the national debt. . . .

In considering this important subject, it is possible that Congress may find it practicable to lessen the public expenditure without materially affecting the efficient transaction of the public business. An amalgamation of some of the public offices and a discontinuance of others may possibly be effected, temporarily at least, without producing great detriment to the substantial interests of the nation, and if it can be done in times of so much pecuniary embarrassment, no saving should be considered too small to merit attention.[79]

He had no program to submit, but he recommended retrenchment.

[78]Fifth Texas Congress, *House Journal,* 5-6.

[79]*Ibid.,* 25.

On November 19, the spirit of Congress made itself felt. On that date a joint resolution was introduced requiring the President to receive into service a company of volunteers from San Patricio county, and it was received with protests by the members of the House led by Sam Houston.[80] On December 2, Lamar announced that Colonel W. G. Cooke had selected a suitable place on Red River for a military post, and suggested that his policy of frontier defence awaited an appropriation, or it would have to be abandoned. This was answered by a resolution which passed the House on the same day providing for a committee of five to be appointed to draft a bill to serve as a basis of retrenchment in all departments.[81]

The first act in harmony with the program of retrenchment was passed on December 5, when the salary of the chief justice was reduced from $5,000 to $3,000.[82] On January 18, 1841, an act was passed which reduced the civil list from approximately $550,000 to $450,000. This was accomplished by abolishing the office of secretary of the navy and placing his duties on the secretary of war; abolishing the office of postmaster general and placing his duties on the secretary of state; discontinuing various minor offices in the state and war departments.[83]

The greatest reductions were in the army and navy appropriations. In spite of the failure of all peace negotiations and the threat of a Mexican invasion, and the recommendation of Lamar and Burnet, who followed him as Acting President, for preparations for an offensive war against Mexico, the two Houses of Congress failed to agree on an army appropriation bill, and there was no appropriation for that year, which resulted in an order by Lamar disbanding the regular army.[84] At the same time they refused to appropriate money for military aid to a commercial expedition to Santa Fé, an object on which Lamar had set his heart, and which he finally undertook in spite of the failure of Congress to appropriate funds. For the army and navy the appropriation

[80]Fifth Texas Congress, First Session, *House Journal*, 127-128.

[81]*Ibid.*, 181, 211.

[82]Gammel, *Laws of Texas*, II, 553.

[83]*Ibid.*, II, 569.

[84]Fifth Texas Congress, First Session, *House Journal*, 720-723.

amounted to the sum of $211,050, as against $1,581,369 for the preceding year.[85]

No methods were found at that session of Congress for remedying the condition of the currency, and perhaps nothing would have availed. The preceding Congress had passed an act providing for the issue of eight per cent treasury bonds instead of notes, but as these were of no more value in the market than the non-interest bearing notes, and as these created an additional obligation for the government in the payment of interest, an act was passed in February, 1841, providing that no more such bonds should be issued after March 1.[86] An effort was made to increase the revenue by raising the rates of tariff duties, but as we have seen, it resulted only in a law raising the nominal rates to accord with their specie value.

Lamar has been criticized more severely for his financial policy than for anything else, and it cannot be claimed that his policies resulted in a sound financial system. He recognized this himself, and in every message called attention to the need for a circulating medium based on something more than faith in the government. It was not his fault that paper money, greatly depreciated, was in circulation when he assumed the presidency, but he might be blamed for continuing after he came into office a practice that had proven itself faulty. It must be remembered, however, that the central idea of his financial policies was the securing of a foreign loan which was to serve as the capital for a government owned and operated bank, and almost till the end of his administration the loan commissioners in Europe held out the hope of securing the loan which Lamar considered necessary. It is likely, it seems to me, that the loan could have been secured if it had not been that the financial stringency in 1837 had caused many of the States of the United States to default on the interest on bonds held by foreign investors, thereby making capital timid in regard to American securities.

It is claimed by his critics that in view of the condition of the finances the appropriations were exhorbitant. It is admitted that there was an increase in the appropriations, though the nominal increase, on account of the depreciation was greater than the real.

[85]Miller, *Op. cit.*, 23.

[86]Gammel, *Laws of Texas*, II, 639.

He himself justified the increase in expenditures by saying that the army was disbanded when he came into office and he found it necessary to create a new one. His administration also had to pay for a navy which was contracted for in the preceding administration. In my judgment the appropriations for the army were entirely justified. Undoubtedly the conciliatory policy of Houston with regard to the Indians had broken down. Many of the western counties were entirely depopulated, and there was an overwhelming public sentiment for war with the Indians. Lamar could have done no less than adopt a policy of warfare, and that called for the creation of an army, the establishment of military posts, and the organization of a permanent ranger service. This policy justified itself, as I shall show later, and after 1840 the Indians retired to the frontier and made only occasional attacks on the settlements.

The term "visionary schemes" which has so often been applied to the policies of Lamar, the creation of a national bank, the Santa Fé Expedition, the naval war against Mexico in alliance with Yucatan, and other policies, cannot be justified unless it is meant that he did not understand the limitations of the people over whom he was ruling. Some of his policies were practical, even though they failed from accidental causes. A contrast of his administration with that of Houston's first administration results to the advantage of Lamar's; but a comparison with Houston's second results in disadvantage to Lamar's.

It is not the purpose here to go into the second administration of Houston, further than to call attention to a few factors bearing on the financial history of Lamar's administration which naturally fall into that of his successor. The first thing that Houston's administration did was to cease the issue of treasury notes and take away their legal tender character.[87] At the same time the five million dollar loan acts were repealed.[88] The repeal of these acts, however, showed no constructive policy on the part of Houston. The treasury notes had ceased to circulate, and all chance of a foreign loan had disappeared, hence it was nothing more than a legal ratification of existing fact. The one constructive policy was the reenactment of a higher tariff on imports, January 27,

[87]Gammel, *Laws of Texas*, II, 727.
[88]*Ibid.*, II, 954.

1842.[89] Foreign or domestic loans were impossible, for the credit of Texas was utterly gone, hence it was necessary for the new administration to adopt a program of economy, which happily resulted in the improvement of general conditions, though still no method of funding the notes of the government was arrived at.

III. Army and Navy

The War of Independence in Texas was won by a citizen army gathered together hurriedly during the pressure of the Mexican invasion. The Consultation had passed an ordinance providing for the creation of a regular army, the organization of the militia, a force of rangers, and an auxiliary force of volunteers for the period of the war to be drawn from the United States. The militia had not been organized at the beginning of the invasion of Texas, and remained unorganized until after the battle of San Jacinto. Up to the time of San Jacinto, also, there had been few enlistments among the regulars, and the auxiliary force of volunteers from the United States arrived too late to participate in the San Jacinto campaign. Shortly after this battle volunteers began to arrive from the United States and in June the army amounted to about twenty-four hundred, and as the "old settlers had gone home when the pressure was relieved, the army consisted almost entirely of volunteers.[90]

It was this army which had refused to receive Lamar as commander-in-chief in July, partly because of a belief that General Houston was still commander-in-chief, and partly because of the intrigue of Felix Huston, Thomas J. Green, and General Rusk. The withdrawal of Lamar left the army in the same condition that it was in at the time of his appointment, with General Rusk acting as commander-in-chief, but with Sam Houston addressing communications to the army as commander-in-chief. The army, after the threat of a new Mexican invasion had disappeared, began to break up, and this was the situation when General Houston assumed the presidency in October, 1836.

The appointment of Rusk as secretary of war left the army under the command of Felix Huston as senior brigadier-general. In

[89]*Ibid.*, II, 734-737.

[90]Barker, "The Texan Revolutionary Army," in Texas Historical Association *Quarterly*, IX, 228-261, *passim.*

January, 1837, President Houston appointed Albert Sidney Johnston to the command of the army, but when he arrived at the headquarters to take command Huston refused to surrender the command, challenging Johnston to a duel. In the duel Johnston was severely wounded, and Huston continued in command of the army. In May Huston went to the seat of government to secure the support of the Congress for an offensive against Mexico. Unable to pay the soldiers, and unable to control them under a mutinous commander-in-chief, Houston took advantage of the absence of Felix Huston from the army, and on May 18 issued orders for the furlough of all the volunteers except six hundred.[91] Practically all that were left in the army at that time were volunteers, not many more than seven hundred were embodied, and it is certain that almost all of these were furloughed. Houston said he retained only enough to maintain certain important posts.[92]

The attitude of Congress towards a military establishment was indicated by the passage of laws early in the first session of the First Congress for the organization of the militia, for a permanent force consisting of a battalion of mounted riflemen for frontier defence, and for a permanent military establishment. By the act of December 20, 1836, besides the militia, volunteers, and mounted riflemen, the military establishment was to consist of one regiment of cavalry, one regiment of artillery, and four regiments of infantry, with certain engineers and ordnance officers.[93] The whole army was to be commanded by a major-general appointed by the President. It was under this act that Johnston was appointed major-general, but, as we have seen, he was unable to take over the command on account of the opposition of Felix Huston. In spite of this riotous condition of the army, however, Houston, in his message at the beginning of the called session of the First Congress, in May, 1837, said that the army had never been in a better condition. He said that the permanent force in the field was sufficient to meet all the emergencies of invasions, while at the shortest notice the defence of the country could be brought into immediate action. He complimented the general

[91]Williams, *Sam Houston*, 238; Houston's message to Congress, November 21, 1837; Crane, *Life of Sam Houston*, 288; Yoakum, *History of Texas*, II.

[92]Message to Congress, November 21, 1837.

[93]Gammel, *Laws of Texas*, I, 1223-1226.

for the discipline which had been established, and said that by a reduction of the supernumerary officers the expense would be only $229,032 per year. Less than two weeks later he issued the order for disbanding the army by means of furloughs, and from that time until the end of his administration there was no organized military establishment for the Republic, dependence being placed on the militia in any emergency.

Throughout the administration of Houston there was complaint as to his Indian policy, which left the frontiers unprotected while he tried to put into effect his principles of conciliation. During the greater part of 1838 there were constant Indian raids, and in July there was a rather ambitious revolt on the part of the Mexicans and Indians about Nacogdoches. A hastily collected body of volunteers under General Rusk averted the threatened rebellion and proceeded to chastise the Indians engaged in the revolt. Under these circumstances there was a popular demand for a different policy, and Lamar, in his first message to Congress took this into consideration, recommending the creation of a standing army to be used for frontier defence.[94]

Congress, willing to cooperate with the Executive, and unmindful of the fact that there were ample laws on the statute books for the creation of a standing army, passed a law providing for a regiment of eight hundred and forty men, divided into fifteen companies, for the protection of the northern and western frontiers.[95] Colonel Edward Burleson was placed in command, and stationed at Bastrop to recruit the proposed army. In spite of the fact that a complete staff was organized, and strenuous efforts made to enlist enough men to bring the army to efficiency, this army of regulars never attained the intended strength, and played a minor part in the Indian campaigns of the first two years of Lamar's administration. The force of rangers which had been first provided for by the General Council proved one of the most effective forces in Indian warfare, though they were aided in any important campaign by the militia and what few regulars could be gotten together. Of the two most important campaigns, the one against the Cherokees in 1839 was carried out chiefly by the militia, though

[94]*Lamar Papers*, No. 361; *Telegraph and Texas Register*, December 26, 1838.

[95]Gammel, *Laws of Texas*, II, 15.

aided by the regulars under Colonel Burleson, while the one against the Comanches in 1840 was carried out by a force which volunteered for that campaign, though it was commanded by a regular army officer.[96]

Fortunately for Texas during the first two years of Lamar's administration, the Mexicans were occupied with their own affairs and could devote no attention to Texas. In 1839 took place the war with France, and the Mexican ports were blockaded. In 1840 there was civil war between the Federalists and Centralists in Mexico, which served to divert the attention of the Mexicans from their revolting province. This fact is probably responsible for a lack of eagerness in enlisting in the regular army. It was this also which made possible the use of the whole army in war against the Indians. Under the circumstances, the administration was unable to depart materially from the practice of the preceding one, and had to depend on the militia hurriedly called together to avert a threatened attack or punish one that had already taken place. The determination of Lamar to exterminate the Indians made necessary the constant mobilization of parts of the militia and led to heavy expenditures for the two years of Indian warfare.

The regular army was brought to an end by the action of the Congress which sat in 1840-1841. As we have seen, this Congress was elected on the issue of retrenchment. As a part of that program the House passed a measure on January 28, 1841, providing for the disbanding of the regular army.[97] The Senate refused to concur in this measure, but the House refused to make any appropriations for its support, and thus accomplished the destruction of the regular army. In the absence of an appropriation for its support, Lamar directed the comptroller on March 24 to open an account on his books for the disbanding of the regular army.[98] This was in the face of a threatened Mexican invasion which materialized a short time later. Thus Lamar's administration closed as it had begun, without an army sufficient for self defense.

Just as there was no army to speak of when Lamar assumed the

[96]The details of these Indian campaigns will be given in another chapter, where I shall attempt to make clearer the use of the army in the Indian campaigns.

[97]Fifth Texas Congress, First Session, *House Journal*, 631.

[98]Yoakum, *History of Texas*, II, 323, note.

presidency, so there was no navy at all. Congress and the President had recognized the necessity of a navy, however, and in November, 1836, passed a law authorizing the purchase of a navy.[99] The government was unable to find funds for the purchase of the vessels provided for, and no action was taken. When the law was passed there were still a few naval vessels under the flag of the Republic of Texas. Before the close of another year three of the four vessels had been lost through capture and wreck, and the Congress passed an act in September, 1837, authorizing the purchase of a five hundred ton ship mounting eighteen guns, two three hundred ton brigs of twelve guns each, and three schooners of one hundred and thirty tons, mounting five or seven guns each. They appropriated $280,000 to pay for the ships, and authorized the secretary of the treasury to furnish the purchasing agent with a draft on the loan commissioners in the United States.[100] President Houston appointed Samuel M. Williams as an agent to purchase the ships, and Williams at once executed his bond and proceeded to Baltimore.[101] In the meantime the President disbanded the officers and men of the navy until the vessels could be secured.

Williams succeeded in securing in October, 1838, the *Charleston,* for which the Congress appropriated $120,000. A short time later he contracted with Frederick Dawson of Baltimore for one ship, two brigs, and three schooners. The cost of these ships was to be $280,000, but as Texas had no money, the bonds of the government were to be executed by the loan commissioners, and deposited in the Bank of the United States of Pennsylvania for $560,000. Interest was to be paid at the rate of ten per cent, and in case of defaulting on the interest the government of Texas was to forfeit the extra deposit of $280,000.[102] Payment was not made at maturity, and the whole amount with interest was claimed and ultimately paid by Texas.[1]

Word that the ships had been contracted for arrived shortly

[99]Gammel, *Laws of Texas,* I, 1090.

[100]*Ibid.,* I, 1355.

[101]Report of Secretary of the Navy in Third Texas Congress, First Session, *House Journal,* 15-20.

[102]Fifth Texas Congress, First Session, *House Journal, Appendix,* 202-204; Dienst, "The Navy of the Republic of Texas" in Texas Historical Association *Quarterly,* XIII, 8.

[1]Miller, *A Financial History of Texas,* 63; Report of the Auditor and Comptroller, December 27, 1849, and November 12, 1851.

after Lamar's inauguration, and on January 26, 1839, Congress passed and the President approved an act appropriating $250,000 for the maintenance of the navy for the year.[2] It will be seen that this navy, which was contracted for under the preceding administration, cost in the neighborhood of $600,000, and with the sum appropriated for its maintenance the expense to the Lamar administration during its first year was more than $800,000.

The ships began arriving early in 1839. In March the *Charleston* reached Galveston, and her name and flag were changed. She was commissioned as the *Zavala.* On June 27 the schooner *San Jacinto,* the first ship under the Dawson contract, was delivered; on August 7, the schooner *San Antonio;* on August 31, the brig *Colorado.* A corvette and a brig were delivered in January and April of the following year, making the list complete.[3]

The delivery of the ships of the navy was completed by April, 1840, and Commodore Edwin Ward Moore was placed in command with the rank of Post Captain. The greatest difficulty confronting him in his position was the securing of seamen for the ships of the navy. For this purpose some of the vessels proceeded to ports of the United States, and attempted to secure sailors there. Moore himself in the *Colorado* went to New York where he ran afoul of the United States laws and was prosecuted under the neutrality law of 1818. The American Secretary of State submitted to the Texan minister a mass of depositions to prove that Moore was violating the neutrality laws of the United States. It was charged that Moore "has for some time past been engaged in hiring and retaining within the Territory and jurisdiction of the United States, citizens of the United States, and other persons to enlist themselves in the service of the Republic of Texas as mariners or seamen on board the said Brig of war, the Colorado."[4]

While Moore was still in New York recruiting men, but with some of the ships already manned, the Congress passed an act requiring the President to retire from the service temporarily all the fleet except such schooners as were necessary for enforcing the revenue laws, and to retain only enough officers and men to carry out the purposes of the act. It was provided, however, that if

[2]Gammel, *Laws of Texas,* II, 129.

[3]Dienst, *op. cit.,* 10.

[4]Dunlap to Burnet, January 27, 1840 (enclosure); Garrison, *Dip. Cor. Tex.,* I, 436.

Mexico should make any hostile demonstrations on the Gulf, the President might order into service any number of the vessels he might deem necessary. This act was approved by Lamar on February 5, 1840.[5]

President Lamar, however, did not carry out the provisions of this law. Acting on the advice of friends,[6] he allowed the work of fitting the ships for the sea to go on. By June 24 they were ready for service, and on that date they set sail on a voyage which carried them to Sisal, Campeachy, Vera Cruz, and other points on the Mexican coast. The last of the ships returned on December 9, bringing the body of Treat, who had been acting as secret agent of the Texan government in Mexico.[7]

In his message in November, 1840, Lamar justified himself for disregarding the act of Congress requiring the vessels to be laid up in ordinary. He said that it was confidently stated in the papers of the United States that Mexico had made contracts for the purchase of several vessels of war in Europe, and that she had actually secured a steam vessel in England and was about to descend on the Texan coast and cut off commerce; that under those conditions he would have been violating the spirit and intentions of the act of Congress instead of carrying it into effect if he had caused the seamen already in the service to be disbanded and the vessels to be laid in ordinary. Besides,

Yucatan and Tabasco, lately forming a part of the confederate states of Mexico, wearied of the oppressions that followed the overthrow of the federal system in that republic, seceded from the central government, and uniting together pronounced their determination to be free. Similarity of circumstances and design naturally creates a sympathy of feeling, and would prompt this government to regard with peculiar interest the efforts of the citizens of the southern provinces to do precisely what we had so recently accomplished. But considerations of a higher character suggested the propriety of making a demonstration of our naval power on the coast of the new republic. It was expected to ascertain from the authorities established there in what relation this government should regard them, and whether their secession from Mexico would terminate their

[5]Gammel, *Laws of Texas*, II, 364.

[6]See Francis Moore, Jr., to Lamar, March 9, 1840, *Lamar Papers*, No. 1741.

[7]Dienst, *op. cit.*, 25.

belligerent condition towards Texas. . . . It was considered advisable to communicate to the authorities our friendly disposition, and to convey them with such a palpable exhibition of power as would render them efficacious and permanent; and I am gratified to remark that these professions were readily and kindly received and cordially reciprocated by the new government.

At the same time, he said, he had felt it his duty to refrain from the capture of any Mexican ships as long as negotiations were being undertaken for a peaceful settlement of all difficulties. The naval equipments of a country, he asserted, were essentially different from the military. Competent officers might be chosen from among the people for the command of an army, but a navy required trained men. "To have disbanded the accomplished and gallant officers who have embarked in our naval service," he concluded,

at the moment when we had reason to believe our enemy was preparing a naval armament for our coast, would, in the opinion of the executive, have not only been indiscreet and impolitic, but would, as he believes, have been contrary to the true intention and meaning of Congress, as expressed in the act of the last session. It is true it might have saved us some expenditure, but it is equally true that it might have involved the country in great disaster and an irreparable loss of reputation.[8]

It seems that the purposes of the cruise were achieved. The rumors that Mexico was preparing to blockade the coast of Texas were probably false, and the cruise was unnecessary from that standpoint. It did serve, however, to establish friendly relations with the federalists of Yucatan, and resulted in an alliance with that province the following year against the Mexican government. After proceeding to Vera Cruz and delivering letters to Treat and receiving others from him to the state department, some of the ships proceeded to the Texas coast, remaining only a short time for orders, and returned to the Yucatan region. In December Moore proceeded up the Tabasco river and captured the town of Tabasco, levying on the people the sum of $25,000, which was used in refitting the vessels for a longer cruise. The town was turned over to the Federalists.[9] The whole fleet was back in Galveston in April, 1841.

From May to November, 1841, the vessels of the navy were en-

[8]Fifth Texas Congress, First Session, *House Journal*, 20-22.

[9]Dienst, *op. cit.*, 26.

gaged in the survey of the coast of Texas.[10] In the meantime Lamar had formed a naval alliance with Yucatan. Under the terms of this alliance the fleet of Texas was to be used to aid the Federalists of Yucatan against the Centralists who were in control of Mexico at that time. On September 18, 1841, Moore received his orders to prepare for the voyage to Yucatan, and on December 13 the vessels set sail. Two days later the secretary of the navy, George W. Hockley, acting on the orders of President Houston, who had been inaugurated on the 12th, directed Moore to return to Galveston immediately and await further orders. Moore did not receive these orders until March 10, 1842, and did not comply with them, but proceeded to carry out the terms of the alliance between Texas and Yucatan.[11]

IV. Location of the Permanent Seat of Government

One of the first problems confronting the Lamar Administration was the establishment of a permanent seat of government. During the period of the war and the provisional government the seat of government had been at various places. In his proclamation calling the election for officers under the constitution, President Burnet designated Columbia as the meeting place of the First Congress. The Congress met there, and on October 22 Houston was inaugurated. Congress and the President were not satisfied with the location, because of poor accommodations, and shortly afterwards an act was passed temporarily locating the seat of government at Houston until the end of the session of Congress which was to assemble in the year 1840.[12]

There was considerable opposition to the location of the capital at Houston, which was selected by a joint ballot of the two houses by a narrow margin.[13] At the time Houston was selected there was not a single building there, and thought ample buildings for the government were promised by the meeting of Congress on May 1, 1837, they were not provided. Besides, there were complaints of

[10]*Ibid.*, 29.

[11]Dienst, *op. cit.*, 37.

[12]Gammel, *Laws of Texas*, I, 1217.

[13]The vote on the fourth ballot was Houston, 21; Matagorda, 4; Washington, 14; and Columbia, 1, giving Houston a majority of only two.—Winkler, "The Seat of Government of Texas," in Texas Historical Association *Quarterly*, X, 165.

the bad streets, the unhealthful conditions in the place, and other matters. And as early as August 9, 1837, the question of the permanent location of the seat of government was forecast as an issue of the campaigns for Congress.[14]

Responding to this sentiment the second Congress passed a joint resolution, approved by the President on October 19, providing for the election by joint ballot of the two houses of five commissioners to select a site for the permanent location of the seat of government. The commissioners were required to give public notice of their appointment, and "receive such propositions for the sale of lands as may be made them, not less than one, nor more than six leagues of land; and also examine such places as they may think proper on vacant lands; and that they be authorized to enter into conditional contracts for the purchase of such locations as they may think proper, subject to ratification or rejection by this congress." They were required to make a report to Congress by November 15, 1837; and in making selections they were to be confined to the country between the Trinity and Guadalupe rivers, and they were to select no place more than one hundred miles north of the upper San Antonio road, nor south of a direct line running from the Trinity to the Guadalupe river, crossing the Brazos at Fort Bend.[15]

The commissioners elected under this act made their report on November 20, recommending various places in order of preference, based largely on material benefits to be derived in the way of bonuses and land. This report was submitted to a select committee of the two houses. The committee reported on the 28th recommending the appointment of a joint committee of both houses to visit the various sites suggested during the vacation of Congress and report back at the beginning of the next session. Congress adopted the report of the committee, and provided by joint resolution for the election of three members from the House and two from the Senate.[16]

The commissioners provided for by this resolution were duly elected, and on March 8, 1838, they made a contract with John Eblin for the purchase of his league of land, and reserved for the government all the vacant lands lying within a radius of nine miles

[14]*Ibid.*, 185-188, *passim; Telegraph and Texas Register*, August 9, 1837.

[15]Gammel, *Laws of Texas*, I, 1346.

[16]Gammel, *Laws of Texas*, I, 1402; Winkler, "The Seat of Government of Texas," as cited, 190-196, *passim.*

of a point near the western boundary of Eblin's League.[17] On April 14 the commissioners reported to Congress that they had bought the Eblin League lying on the east bank of the Colorado river, just below La Grange. As was the custom, this was submitted to a joint committee of the two houses, and the committee reported on May 7 without making any recommendations. Two days later the houses met in joint session for the purpose of choosing a site for the permanent government, and the location of Eblin's League was decided upon on the second ballot.[18] A bill was drawn up embodying this decision, but it was vetoed by President Houston on the ground that the act locating the temporary seat of government provided that it should remain at Houston until 1840.[19]

From the foregoing it is obvious that sooner or later the location of a permanent seat of government would become a political issue; and this it did, along with other sectional questions, in the presidential and congressional campaigns of 1838. Houston was from the eastern part of the Republic, and it was charged that his veto of the bill for locating the capital on the Colorado was due to his interest in the East, as well as to a personal vanity which influenced him in maintaining the capital at the city of his own name. After the nomination of Lamar by members of the Senate in December, 1837, and by various meetings over the State in the early months of 1838, those interested in the advancement of the East through the election of a President representing that section petitioned General Rusk to become a candidate for the Presidency. When he declined, the same persons appealed to P. W. Grayson, who consented to make the race. His death during the campaign eliminated the strongest representative of the East, and led to the almost unopposed election of Lamar.[20]

The *Matagorda Bulletin* took the lead in advancing the claims of the West to the capital. On March 7, 1838, the editor wrote:

> Several of our citizens have just returned from the up-country and the far West, where they have been engaged since the opening of the land office, in locating their lands. They bring the most flattering accounts of the emigration which is now pouring into

[17]Winkler, as cited, 199.

[18]*Ibid.*, 204.

[19]Second Texas Congress, Third Session, *House Journal*, 162, 163.

[20]*Telegraph and Texas Register*, May 19 and 26, 1838.

the interior, with a rapidity altogether unparalleled in the settlement of the country. The new comers we understand are nearly all farmers, and are now making extensive preparations to cultivate the soil. The Colorado, up to the base of the mountains, is alive with the opening of new plantations, and towns and villages seem to be springing up spontaneously along its banks.

In advocating the election of Lamar to the presidency, the editor on March 28, wrote as follows:

But above all, the character and qualifications of the next chief magistrate of the Republic of Texas, should be *extensively* and favourably known, to the people of the United States. Emigration, which is so earnestly desired by every good and patriotic citizen, and which alone can hasten the rising greatness of this flourishing republic, will be checked or promoted by the character of the man whom we shall elevate to that distinguished office.

On August 24, 1838, a correspondent of the *Matagorda Bulletin* urged the election of George Sutherland as senator from Matagorda, saying that he was a true representative of the West, and that he had supported strongly the location of the seat of government on the Colorado in the preceding Congress. "The Seat of Government," he continued,

will be permanently located during the next two years; and no measure can be so big with consequences to the West, and particularly to the citizens of this Senatorial District as its location on the Colorado. It will promote emigration to the West, thereby giving protection to the frontier settlements, and enhancing the value of our lands. It will also increase most rapidly the settlement of the lands of the Colorado, and of the country west of it, thereby increasing the capital and interest of that section of the country, which will result in important public improvements, increasing the facilities of commerce and trade.

Early in the session of the Congress which assembled on November 5, 1838, efforts began to secure the permanent location of the seat of government. By January 14, 1839, a bill had passed through Congress and been approved by the President embodying the desires of the advocates of a western location.

This act, as had been the case in the earlier acts, created a commission consisting of five men, two to be elected by the Senate and three by the House, and it was their duty to select a site for the location of the capital at some point between the Trinity and Colo-

rado rivers, and above the old San Antonio road. The name of the site was to be Austin. The commissioners were to select not less than one nor more than four leagues of land for the site, and if it could not be obtained out of the public domain or by donation, they were empowered to purchase it, being limited to the price of three dollars per acre. They were to enter into a bond with good security of one hundred thousand dollars.[21]

The commissioners, A. C. Horton and I. W. Burton for the Senate, and William Menifee, Isaac Campbell and Louis P. Cooke from the House, were elected on January 15th and 16th.[22] Immediately after the adjournment of Congress on the 24th the commissioners proceeded to their work, and they reported on April 13 their selection of the town of Waterloo on the Colorado at the foot of the mountains.

It is likely that Lamar exercised a determining influence in the selection of the present Austin as the permanent seat of government. At the beginning of his administration the Congress was practically unanimous in his favor, and there is no doubting his influence with its members during the early sessions. Being Vice-President during the preceding administration he was well placed to judge of public sentiment as it expressed itself in Congress; and it had become apparent that a more western location than Houston was desired. It seemed to be the general impression that a position on the Colorado would be chosen, but the exact site was not anticipated. The following extract from an article by an "old settler," Judge A. W. Terrell, indicates that Lamar first examined and recommended the site chosen.

General Lamar, in the autumn of 1837 or 1838, weary with official duties, came to the upper Colorado on a buffalo hunt. He procured an escort of six rangers at the old fort that stood in Fort Prairie, six miles below where Austin now is. Among them were James O. Rice and William Avery, both of whom long afterwards became my clients. From them and from the Rev. Edward Fontaine (a great-grandson of Patrick Henry), then the Episcopal minister in Austin, who for years was my friend and neighbor, I learned what I am about to state regarding Lamar's buffalo hunt and other matters.

Jacob Harrell was then the only white frontier settler where Austin is located, and no white men lived on the waters of the

[21]Gammel, *Laws of Texas*, II, 161.

[22]Third Texas Congress, *Senate Journal*, 108; *House Journal*, 358.

Colorado above him. His cabin, and a stockade made of split logs to protect his horses from the Indians, were built at the mouth of Shoal Creek, near the river ford. There Lamar and Fontaine (who was his private secretary), and their ranger escort camped for the night, and were awakened next morning early by Jake Harrell's little son, who told them that the prairie was full of buffalo. Lamar and his men were soon in the saddle, and after killing all the buffalo they wanted were assembled by a recall sounded by the bugler on the very hill where now stands the State Capitol building. Lamar, while looking from that hill on the valley covered with wild rye,—the mountains up the river, and the charming view to the south, remarked, "This should be the seat of future Empire." . . .

When afterwards in 1839 Lamar was president he approved the Act of Congress of January 16, 1839, which provided for the commissioners to select a site for the Capital. He appointed among them A. C. Horton,[23] whom I knew quite well, and instructed them to go to Jake Harrell's cabin and look carefully at that location. Fontaine was present when the President talked to the Commissioners, and thought that Lamar's admiration of the ground near Harrell's cabin had much to do with the report of the Commissioners.[24]

Whether or not this account represents the facts, I am unable to say. It is true, however, that in the report of the commissioners of their choice of a site the defense of their selection was based on two of the most prominent of Lamar's policies, the protection of the frontier and the necessity for securing the Santa Fé trade. It will be remembered that the commissioners were limited to a point between the Trinity and Colorado rivers north of the San Antonio road. Stating that there was no great choice between the two rivers, they said that the town of Waterloo was more favorable in their opinion than a point on the Brazos; and then they showed their attitude to be in harmony with that of Lamar with regard to frontier defense when they said:

In reference to the protection to be afforded to the frontier by the location of the Seat of Government, a majority of the Commissioners are of the opinion that that object will be as well attained by the location upon one river as upon the other, being also of the opinion that within a short period of time following the loca-

[23]This is an error. The Commissioners were elected by the two houses of Congress.

[24]A. W. Terrell, "The City of Austin from 1839 to 1865," in Texas Historical Association *Quarterly*, XIV, 113-114.

tion of the Seat of Government on the Frontier, the extension of the Settlements produced thereby, will engender other theories of defence, on lands now the homes of the Comanche and the Bison.

The commissioners anticipated the time when a great thoroughfare should be established between Santa Fé and the Texas seaports, and between Red River and Matamoras, and the two routes would intersect almost exactly at the seat chosen. It is certain that Lamar had this feature in mind when the commissioners left Houston on their journey of inspection. William Jefferson Jones was in Houston some time in January, just before going to his station in the army which was being organized at Bastrop. He had discussed with Lamar the importance of the Santa Fé trade, and after leaving Houston had written to the secretary of war along the same lines. On February 8, 1839, he wrote Lamar reiterating his statements with regard to the Santa Fé trade, and declaring that he had no doubt that the seat of government would be located at the town of Waterloo.[25] The known interest of Lamar in frontier defense and the Santa Fé trade, together with the report by the commissioners favoring the location for those reasons, indicates that there was a close understanding between the President and the commissioners.[26]

At the time of its selection Waterloo, which was renamed Austin, was on the very outskirts of settlement. There were in the town itself, according to the *Matagorda Bulletin* for April 15, 1839, only four families, and in another settlement a few miles distant there were about twenty. According to this same paper, however, immigration was not slow in beginning to flow into that part of the State.[27] This paper, in again commending the selection of Waterloo, on August 1, 1839, said:

The most cheering accounts are daily received of the immense emigration to the Upper Colorado and western country. We have always been satisfied that it was [only] necessary that the beautiful country situated there should be known to render it very shortly the most densely populated part of the Republic. The location of the seat of government at its present site has had the effect to bring it into notice.

[25]*Lamar Papers*, No. 1049.

[26]The full report of the commissioners can be found in Winkler, "Seat of Government of Texas," in Texas Historical *Quarterly*, X, 217-220.

[27]*Matagorda Bulletin*, May 2, 1839.

The *Telegraph and Texas Register,* June 12, 1839, found that the location of the capital in that quarter of the frontier had deterred many citizens who had been doubtful about remaining on the frontier from leaving.

Not all the newspapers approved the choice, however. The people east of the Trinity would have been glad to have had the capital nearer the center of the State. The Houston *Morning Star* found it objectionable because it possessed none of the advantages of a city, "timber being scarce, water not *too* abundant, the situation remote from the Gulf, and there being no navigable stream near it, at least at present, the immediate surrounding country not being fertile, and the town being at the *end* of the road, beyond which there is nothing to see."[28]

The original act providing for the location of the capital had not provided for the time of removal from Houston to Austin. This was remedied a few days later by a supplementary act requiring the President to proceed, with his cabinet officers, and the archives of the government, to the point selected, previous to October 1, and that the next Congress should convene there on the second Monday of the following November.[29]

The report of the locating commissioners was anticipated by the appointment of Edwin Waller as government agent for the new city of Austin. He was to survey the lots, provide for their sale at auction, and after this was accomplished, he was to superintend the construction of the necessary public buildings. Waller was entirely successful in all these duties. The surveying began on May 21, the sale of lots began on August 1, and by the time the officers of the government arrived in October a sufficient number of buildings were completed to house the various departments comfortably.[30]

President Lamar and a part of his cabinet arrived in Austin on October 17 and were received with elaborate celebrations.[31] The Congress assembled as provided for on the second Monday in November, and there was a quorum present the first day. President Lamar sent in his message on November 12, and stated that

[28]*Morning Star,* July 27, 1839.

[29]Gammel, *Laws of Texas,* II.

[30]Winkler, "The Seat of Government of Texas," in Texas Historical Association *Quarterly,* X, 227-233, *passim.*

[31]*Austin City Gazette,* October 30, 1839.

he had great pleasure in meeting the representatives of the people for the first time assembled at the permanent seat of government. He congratulated them and the country in general that a question which had so deeply excited the national legislature had thus been put at rest; and sincerely hoped that no similar subject would arise in future to abstract their attention from the harmonious consideration of such matters of general and local policy as might be regarded essential to the prosperity of the nation. "That the selection of the site now occupied will command universal approbation," he said, "is not to be expected. A diversity of opinion upon such subjects is the unavoidable result of the diversity of interests and local prejudices which must necessarily exist in a country so widely extended as ours." He showed his real attitude towards the question when he continued:

But its geographical position, the apparent healthfulness of its climate, the beauty of its scenery, the abundance and convenience of its material for constructing the most permanent edifices, its easy access to our maratime frontier, and its adaptation to protection against Indian depradations, thereby inviting settlements to one of the finest portions of our country, [afford] ample proofs of the judgement and fidelity of the commissioners, an abundant reason to approve their choice. That you and others will experience some privations which might have been spared if the location had been made in a section of the country of greater population and improvement is certainly true; but I cannot believe that a people who have voluntarily exchanged the ease and luxuries of plentiful houses, for the toil and privations of a wilderness will repine at the sacrifice of a few personal comforts which the good of the nation may require of them.[32]

It will be remembered that no provision had been made for the commissioners to report back to the Congress their findings with regard to their location of the capital site; and before the Congress even met the government had been removed from Houston to Austin. Those opposed to the location selected attempted to secure a reconsideration by introducing and supporting a bill providing for a plebiscite on the fourth Monday in May, 1840, to determine whether or not the seat of government should be located, for a period of twenty-five years, at Austin or at the point on the Brazos rejected by the commissioners. This led to an excited debate in which Houston, who had just taken his seat as a repre-

[32]*Lamar Papers,* No. 361.

sentative from San Augustine, was one of the most conspicuous figures. The enacting clause was stricken out by a vote of 21 to 16, a strictly sectional vote. To add to the appearance of permanency the same Congress passed an act for constructing public buildings as nearly fireproof as possible.[33]

The seat of government continued at Austin until the close of Lamar's administration. Shortly after the inauguration of Houston for his second term in December, 1841, he removed the government to Houston without the consent of Congress, and in spite of the demand of the citizens of Austin for a return of the government, he exercised his functions elsewhere. The citizens of Austin resisted successfully the removal of the archives, and after the conclusion of Houston's second administration the government returned permanently io the city of Austin.

(*Continued.*)

[33]Winkler, "The Seat of Government of Texas," in Texas Historical Association *Quarterly*, X, 244.

JAMES W. FANNIN, JR., IN THE TEXAS REVOLUTION

RUBY CUMBY SMITH

4. The Last Days of the Expedition

Nothing now remains to be told of the Matamoros Expedition except the details of its complete failure. These details make up principally a "hard luck" story, and while they show both the American officers and soldiers to have been brave and generous, they also reveal a carelessness and incompetency, absolutely inexcusable in both. The Americans in every fight proved themselves individually superior to the Mexicans, yet with practically no concert of action in their movements, this individual bravery counted for little. Fannin was careless and apparently knew little of the strategy of retreat. Urrea, on the other hand, was a careful general, but with inferior soldiers accomplished the destruction of the entire American force only because of his superior numbers. Unfortunately, we have no letters written from Goliad during the last days of the expedition except two from John Sowers Brooks (March 9 and March 10), and these serve only to give us a gloomy picture of the determination of the Americans to resist to the end. We have, therefore, to depend for our information of this period on accounts and reminiscences written after the war, and these, in many instances, confuse both incidents and dates. For instance, Bernard's account, which Linn characterizes as the "most correct and competent extant," even though written shortly after the massacre in 1836, is inaccurate in saying that before Ward left Goliad for Refugio on March 12, Fannin had received Houston's order to retreat to Victoria,[24] when as a matter of fact, the message was written after dark on March 11,[25] and to reach Goliad from Gonzales, the place from which it was written, then took thirty hours.[26] Hence it was impossible for Ward to have known of this order on March 12, and it is not likely, though not impossible, that he knew of it on March 13. Again, other accounts examined say that Ward left for Refugio on March 13; so it is

[24]Linn, John J., *Reminiscences of Fifty Years in Texas*, 150.

[25]Yoakum, *History of Texas*, II, 473-475.

[26]Houston in a speech in the United States Senate; Crane, *Life of Houston*, 582; also in Hart's *Contemporaries*, III, 638.

safe to conclude that Bernard was mistaken either as to the date of Ward's departure, or as to the time of the arrival of Houston's message. Linn himself published his *Reminiscences* in 1883 and confuses the date of February 14 with March 14. Thus there are several discrepancies in the accounts which have been left us; yet from a study of these accounts and by a comparison of them with Urrea's *Diario,* published in 1838, we can pretty accurately arrive at the correct conclusions both as to the time and the details of the incidents.

For convenience, let us consider the last days of the expedition under the following heads: (a) the orders to retreat; (b) the division of Fannin's forces; (c) the retreat; (d) the battle of the Coleto; (e) the surrender of Fannin's men; (f) the massacre.

(a) The Orders to Retreat

On March 4, 1836, Houston was elected commander-in-chief of the army of the Republic of Texas, and on March 7, he took the field with the determination of relieving Travis in the Alamo.[27] To aid him in this determination, he sent an order from the Colorado by way of Gonzales to Fannin to meet him with all his available forces on the west side of the Cibolo.[28] This order went through the hands of Colonel Neill,[29] commanding at Gonzales, and it was forwarded to Fannin at Goliad, reaching there on March 11.[30] However, on reaching Gonzales and learning of the fall of the Alamo, Houston adopted another course,[31] and sent the following letter to Fannin:

Headquarters, Gonzales, March 11, 1836.

To Colonel J. W. Fannin, Commanding at Goliad;

Sir: You will as soon as practicable after the receipt of this order, fall back on Guadalupe Victoria, with your command and such artillery as can be brought with expedition. The remainder will be sunk in the river. You will take the necessary measures for the defence of Victoria, and forward one-third the number of

[27]Brown, *History of Texas,* II, 587.

[28]Houston to Collingsworth, March 13, 1836; Yoakum, *History of Texas,* II, 473-4.

[29]Yoakum, *History of Texas,* II, 104.

[30]Ayres' Journal, *Lamar Papers.*

[31]Houston to Collingsworth, March 13, 1836; Yoakum, *History of Texas,* II, 473.

your effective men to this point, and remain in command until further orders.

Every facility is to be afforded to women and children who may be desirous of leaving that place, Goliad. Previous to abandoning Goliad, you will take the necessary measures to blow up the fortress; and do so before leaving the vicinity. The immediate advance of the enemy will be confidently expected, as well as a rise of water. Prompt movements are, therefore, highly important.

Sam Houston,
Commander-in-chief of the Army.[32]

Thus, there were two orders to retreat: (1) the one to relieve Bexar; (2) the one to retire to Victoria. I believe it is the confusing of these orders that has led many people to believe that Fannin refused absolutely to obey General Houston. General Houston himself in a speech in the United States Senate, February 28, 1859, declared that he ordered Fannin to fall back to Victoria and that he received an answer from Fannin stating that he had received Houston's order, had held a council of war, that he had determined to defend the place and called it Fort Defiance, and had taken the responsibility to disobey the order.[33]

From a study of the sources, we believe that General Houston himself was confusing the answer to his first order—if Fannin wrote one—as the answer to his second order. That Fannin and his men were anxious to go to the relief of Bexar has already been shown; but they were unwilling to go at the risk of all being murdered on the way and of exposing the whole country between Bexar and the coast to the enemy. Moreover, on March 10, John Sowers Brooks wrote in his last letter from Goliad before Houston's first order could have reached there that it was believed in Goliad that Santa Anna intended to detach 1000 men from Bexar to form a junction with the 650 men in San Patricio and then reduce Goliad.[34] With this knowledge in his possession, we believe that if Fannin wrote Houston that he had taken it upon himself to disobey any order, it was this order to march to the relief of Bexar, and not the one to retreat to Victoria.

[32]Yoakum, *History of Texas*, II, 472.

[33]This speech is copied in part in Hart's *American History Told by Contemporaries*, III, 637-41.

[34]John Sowers Brooks to A. H. Brooks, March 10, 1836. THE QUARTERLY, IX, 194.

Positive evidence that Fannin was attempting to retreat to Victoria may be found in two letters which Fannin wrote from Goliad, but which fell into the hands of Urrea and were translated into Spanish and published in his *Diario* in 1838.[35] These show that Fannin was having difficulty in retreating to Victoria, but that he was firm in his resolution to do so. The first of the letters is an order to Colonel A. C. Horton to hasten forward the cattle, horses, and mules to aid him in the retreat. An extract from it re-translated into English reads:

Yours of yesterday received rather late in the afternoon. I wish to inform you that as soon as the party of 200 men under the command of Colonel Ward, which I look for between 9 and 10 tonight, returns, overcoming all difficulties, I shall march to Victoria in compliance with the orders of General Houston. Therefore, if you cannot advance to this point, you will probably overtake me on the way.

The second letter is to Captain Sam A. White at Victoria urging him also to hasten forward the carts, oxen, etc., for the retreat, and ordering that ammunition be sent for the army along the Colorado. An extract from it reads: "The division under the orders of Colonel Ward has not yet arrived, but as quickly as they do, we shall march upon Victoria, which point I shall defend as quickly as possible."

It is hardly possible that Fannin would have written these officers urging them to aid him in his retreat, and at the same time have written General Houston that he refused to do so.

Again, Desauque, the courier who brought the message to Fannin to retreat to Victoria,[36] was present at the battle of Coleto, was captured there, and was shot on March 27 along with the other volunteers. It is not likely that Fannin would have sent so important a reply by another messenger, or that Desauque would have returned to Goliad after delivering the message to Houston.

Thus, the evidence examined shows that there were two orders to retreat, one to Bexar and the other to Victoria, and that Fannin, though possibly refusing to obey the first, was using every effort to obey the second.

[35]Urrea, *Diario*, 57-8.

[36]Yoakum, *History of Texas*, II, 87.

(b) The Division of Fannin's Forces

With the arrival of the Mexican forces, the Texans, especially those in the exposed areas, began to flee towards the east. Linn tells of his work as alcalde of Victoria, in advising the people of that locality to seek places of safety.[37] The army naturally aided in this work. On the evening of March 10,[38] because of the personal appeal of Mr. Ayres of Refugio, Captain King with 28 or 30 men was sent from Goliad to Refugio to aid in bringing off some families there. King, on reaching Refugio, however, was confronted by the Mexicans and forced into the Mission, from which place he, nevertheless, managed to send back to Goliad for aid. Colonel Ward with 150 men was at once dispatched to King's relief, leaving on the morning of March 12.[39] This was the first of the unfortunate occurrences which led to Fannin's capture; for if Fannin's men had not been divided, his retreat would have been sooner effected, and the men under Ward and King added to Fannin's force at the Coleto might have saved the day for the Americans. Again, Urrea would not have learned so definitely of Fannin's plans, through the captured messages, and woud not have made such strenuous efforts to destroy Ward, with whom "Fannin proposed to make himsef invincible."

Yet we cannot blame Fannin either for wishing to furnish protection to exposed families, or to help his own men in distress; and if the rest of his retreat could have been accomplished with haste, even after he learned of the disaster to Ward, he might have still escaped to Victoria, if he had managed skillfully. The thing which we can blame Fannin, as well as Ward and King, for was their slowness to execute any movement they undertook.

Ward reached Refugio on the afternoon of March 12 and relieved King. It was possibly his plan to return on the 14th.[40] Bernard tells that King after being relieved straggled off to

[37]Linn, John J., *Reminiscences of Fifty Years in Texas*, 247.

[38]Ayres' Journal, *Lamar Papers.*

[39]Ayres' Journal, *Lamar Papers.*

Bernard says that Ward left on the morning of March 12, but Brown (Baker's *Texas Scrap Book*, 245) and an unknown writer in Foote (II, 248) says that it was on the 13th. Bernard declares that Ward knew of Houston's order to retreat to Victoria, but this is impossible if Ward left on the 12th.

[40]Inferred from the letter in Urrea's *Diario*, 57.

some ranches where the people had shown hostility.[41] Another account says that King refused to serve under Ward and left.[42] At any rate, the forces of King and Ward were separated, and thus each became an easy prey for the Mexicans.

Urrea's forces early on the morning of March 14 attacked Ward, who had sought refuge in the mission, but were forced to retire. Later in the day while attempting to dislodge Ward, Urrea was attacked by King's men from the rear.[43] Urrea's reserve cavalry then pursued King and his men and succeeded in killing eleven of them and taking seven prisoners.

Finding himself unable to capture Ward during the day, Urrea placed guards around the mission at night to prevent Ward's escape; but almost miraculously, without Urrea's knowledge, the Americans got away, aided as Urrea says by the "darkness of the night, a strong norther, and rain."[44] They were followed on the 15th. Sixteen were killed that day, and thirty-one made prisoners. The next day fourteen more were captured. About thirty of these prisoners, belonging mainly to King's company, were shot by Urrea's consent on March 16; the others being Mexicans were set free.[45] The remainder of Ward's men succeeded in reaching Victoria, where on March 22, one hundred of them surrendered to Urrea. These, on March 26, were sent back to Goliad, and on March 27 were shot.

(c) The Retreat from Goliad

Houston's order to retreat to Victoria reached Fannin at Goliad either on the evening of March 13 or the morning of March 14,[46] and Fannin set about to obey it. The messages to Colonel Horton and to Captain White, written on March 14, expressing a determination to retreat as soon as Ward returned, have already been noted. The message to Horton also says that Fannin was having

[41]Confirmed by Ayres' Journal, which says: "King with 15 or 20 men went down to Lopez low ranch to punish some rancheros who were also said to have been plundering."

[42]Brown, in Baker's *Texas Scrap Book*, 245.

[43]Urrea's *Diario*, II.

[44]Urrea, *Diario*, 11.

[45]Urrea's *Diario*, 13.

[46]Brown, II, 588, says March 13; Yoakum, II, 87, says March 14. It was written March 11, 1836, between the time Houston received the news of the fall of Bexar (8 or 9 at night) and twelve o'clock, and it took thirty hours for the message to reach Fannin.

difficulties in retreating. What these difficulties were cannot with accuracy be determined; but Linn tells us[47] that it was because his men declared that they had come for a brush with the Mexicans and feared that by leaving Goliad they would lose the opportunity of having it, and that Fannin was powerless to control them. Other difficulties might have been those attendant upon the dismantling of the fort, the lack of roads between Victoria and Goliad, and the excessive cold.

Fannin, it will be remembered, looked for Ward to return between 9 and 10 o'clock on March 14. Messages were sent him daily, but these were all intercepted by the Mexicans; and nothing was heard from him till 4 p. m. on March 17, when Captain Frazier, sent out as a last resort, returned with the news of the escape of his men from the mission and the murder of King's men. Even now at Frazier's return, if Fannin had been prepared to depart at once, he might have reached Victoria that night, because Urrea had only 70 men, under Captain Ireata, between Victoria and Goliad.[48] Again Urrea's own troops returning from Refugio were too fatigued to pursue him, and the reinforcements expected from San Antonio, 500 men of the Jimenez and San Luis Batteries, which played a decisive part in the battle of the Coleto, had not yet arrived. Yet Bernard tells us that, though the Americans realized that retreat was necessary, they did not propose to run. This is likely the reason that they were allowed to spend the 18th in useless skirmishing, though, in all probability, it was a part of Urrea's program to annoy the Americans each day till the Mexicans were ready for a final attack. This skirmishing animated the Americans; yet, as Bernard points out,[49] it was a bad thing for them, for (1) it wasted a day for them; (2) their horses needed for the retreat were tired down by it; and (3) their oxen which had been gotten up for the purpose of drawing the carts remained a whole day without food. The slowness of these teams was one of the disastrous factors for the Americans in the retreat. The skirmishing also inspired the Americans with a false idea of their superiority in arms and gave them a false confidence in their ability to escape from the Mexicans.

[47]Linn, John J., *Reminiscences of Fifty Years in Texas*, 125.

[48]Urrea, *Diario*, 12, 13.

[49]Bernard in Wooten (editor), *A Comprehensive History of Texas*, I, 620.

Nothing more clearly shows the contempt which the Americans held for the Mexicans and the false sense of security possessed by them than do the details of this retreat. Aided by a dense fog, they started on the morning of March 19. Horton, who on March 14 had arrived to assist in the retreat, acted as scout. Having gone a mile past Manahuila Creek, or seven miles from Goliad, the entire party stopped for an hour to graze their oxen and to have breakfast. They had gone perhaps ten miles further on their slow journey when they sighted the Mexicans in their rear.[50]

Meanwhile, Urrea on his part, had doubted that the Americans would retreat, and was preparing to lay siege to the fort. On learning, however, that the Americans had really escaped, he ordered Garay with the artillery and baggage to reconnoitre and occupy the fort, and he himself at 11 o'clock with 370 infantry and 80 cavalry started in pursuit. He got sight of the Americans at 1:30 o'clock.[51]

The Americans now halted and shot at the Mexicans, but perceiving that the Mexicans were too far off, they took up their march again. They went perhaps a mile, when in crossing a depression their ammunition cart broke down. They were suddenly cut off by the Mexican cavalry from a wood, one-half a mile distant, which they were trying to reach, and soon found themselves completely surrounded by the enemy.[52]

(d) The Battle of the Coleto

Fannin now completely surrounded, arranged his men in a hollow square. In the front were placed the Red Rovers and the New Orleans Greys; in the rear Duval's Mustangs, on the sides the other troops. Urrea stationed the Jimenez Battery under Salas in the front, the battery under Nuñez in the rear; Morales and his cazadores at the left, and the San Luis troops at the right. Though Urrea had no artillery, he decided to join battle at once. The American wings were first attacked. Morales led a bayonet charge from the left, but this was repulsed. Then Urrea in person led a cavalry charge from the rear, but was forced to retire. Still a third attack was unsuccessful, and Urrea drew off his troops to await the arrival of the artillery, placing patrols around the Americans.

[50]Wooten (editor), *A Comprehensive History of Texas*, I, 660.

[51]Account in Urrea, 14.

[52]Wooten (editor), *A Comprehensive History of Texas*, I, 621; Urrea, *Diario*, 14.

The battle had lasted from three in the afternoon till dark, and the Americans had fought with great bravery—a fact which Urrea repeatedly mentions in his *Diario.* Of their number seven had been killed and sixty wounded, Fannin[53] and John Sowers Brooks being among the number wounded.[54] The American cavalry had escaped when first overtaken, though some abandoned their horses and went to the aid of their companions. Needless to say, Urrea used their horses with which to mount his soldiers.

Survivors of the massacre picture the night of March 19 as one of great horror. The Americans were without lights, water, or provisions. For the most part they spent the night in digging an entrenchment and placing their carts and the carcasses of their two horses and of several oxen as breastworks. Escape was clearly impossible; the Americans were surrounded by the Mexicans; the night was excessively dark; to have made a dash for liberty would have necessitated their leaving their wounded at the mercy of the Mexicans, and this they would not do.

(e) The Surrender of Fannin's Men

Early next morning Urrea received a fresh supply of ammunition, two pieces of artillery and reinforcements. His number was now about 1300, while the Americans had possibly something over 200 fighting men.[55] A few rounds from Urrea's artillery and a consideration of their plight caused them to deliberate on the question of surrender. Their own artillery had been of little use the afternoon before; their gunner had been killed; John Sowers Brooks, their chief engineer, had been wounded; and in their low position the artillery could not be used. The Mexican artillery, in a higher position, showed the Americans that only complete annihilation awaited them. They had been brave enough to keep

[53]Wooten (editor), *A Comprehensive History of Texas,* I, 622.

[54]The Quarterly, IX, 199.

[55]Wooten (editor), *A Comprehensive History of Texas,* I, 622.
This is an estimate by Bernard, and is probably about 350 in excess of the real number of Urrea's men in the battle. Urrea had at this time his own forces of 550 men (*Diario,* 7) besides the 500 reinforcements of the San Luis and Jimenez Battalions from Bexar (*Diario,* 13). He says that he started in pursuit of Fannin with 360 infantry and 80 cavalry, sent back 100 of these, but got 100 inforcements the next morning. As he used the San Luis and Jimenez Battalions in the battle, he probably means to say that he used these in addition to the 360 infantry and 80 cavalry, making about 950 in all.

the enemy at bay in an open gun duel; but in artillery fighting they realized their inferiority. Also, without food and water, to continue fighting would be only to postpone their fate.

The Americans knew of the treachery of the Mexicans to King's men; but they had a notion that if the terms of surrender were set down in writing, some consideration would be shown the scrap of paper. Hence, the officers urged Fannin to make an honorable capitulation, and only on this consideration was he urged by his officers to treat. Bernard declares that Fannin held out against his officers, and only agreed to raise the white flag when he learned that it was their unanimous wish.[56]

That there was a capitulation all the survivors of the massacre affirm, for they saw the officers writing; but the exact terms were not definitely proved till the original document was found by Professor E. C. Barker a few years ago in Mexico City. The American survivors had almost unanimously declared the terms to be something as follows:

1. That they should lay down their arms and surrender as prisoners of war and be treated according to the usage of civilized nations.

2. That their wounded should be taken back to Goliad and be properly attended to.

3. That all private rights should be respected.

The real terms of surrender as published in Urrea's *Diario* in 1838,[57] and confirmed by the original in the Mexican Archives, are as follows:

Art. 1st. The Mexican troops having placed their artillery at a distance of one hundred and seventy paces and having opened fire, we raised a white flag and at once Colonels Juan Morales and Mariano Salas came in company with Lieutenant Colonel Juan Jose Holsinger of the Engineers, and we proposed to them to surrender ourselves at discretion, to which they agreed.

Art. 2nd. That the wounded and their commander Fannin should be treated with all the consideration possible, since we propose to surrender all our arms.

Art. 3d. All the detachment shall be treated as prisoners of war and placed at the disposal of the Supreme Government.

Camp on the Coleto between Guadalupe and La Bahia. March 20, 1836.

[56]Wooten (editor), *A Comprehensive History of Texas*, I, 623.

[57]Urrea, *Diario*, 58.

B. C. Wallace, (Major), J. M. Chadwick, (Adjutant. Approved, J. W. Fannin, (Commander).

[Added by Urrea]: When the white flag was raised by the enemy, I ordered their leader to be informed that I could have no other agreement than that they should surrender at discretion, without any other condition, and this was agreed to by the persons stated above; the other petitions which the subscribers of this surrender make will not be granted. I told them this, and they agreed to it, for I must not, nor can I, grant anything else.

This, then, means that the Americans surrendered at discretion and placed themselves at the disposal of the supreme government. The government had decreed that foreigners taken with arms in their hands were to be regarded as pirates and executed. Santa Anna had warned Urrea that he should comply with this law.[58] It is not likely that Fannin was ignorant of this law, and certainly Urrea could make no treaty except under it.[59] Urrea declared that the Americans surrendered in full confidence that Mexican generosity would not make their sacrifice fruitless; otherwise, they would have resisted and sold their lives as dearly as possible. Holsinger[60] confirms Urrea's statement that he promised that he would use his influence with the supreme government to have the law set aside in the case of the Americans, and declares that the Americans were assured by the commissioners sent by Urrea that the Mexican government had never ordered a man shot who had trusted to its clemency.

(f) The Goliad Massacre

By March 22, all the Americans[61] had been removed from the battlefield to Goliad; on the 24th, Major Miller with 80 men from Nashville, who had been captured on landing at Copano, was taken there;[62] and on the 26th, Ward with 80 of his men had been sent in from Victoria. On March 26, also, Urrea, who was now in

[58]Urrea, *Diario*, 54-5.

[59]Urrea, *Diario*, 22.

[60]Holsinger to Wharton, June 3, 1836. Urrea, *Diario*, 129-31. An English translation of this letter, made by Edward Gritten, is in the *Lamar Papers*.

Holsinger was a German, but was in command of the engineers in Urrea's army. He was one of the commissioners sent by Urrea to arrange the terms of surrender. Later he superintended the receiving of the arms from the Americans.

[61]The number was 234. Urrea, *Diario*, 61.

[62]Urrea, *Diario*, 61.

Victoria, wrote Portilla, whom he had left in command of Goliad, to treat the prisoners with consideration, and to employ them in repairing houses and erecting quarters. On the same day, also, Portilla received orders from Santa Anna to have all the prisoners who had surrendered by force of arms to be shot, and gave instructions as to how to proceed about it.[63]

Portilla vacillated all night between these orders, but at daybreak on March 27, he determined to obey Santa Anna's order, since it was superior to Urrea's. His account of how he did this is brutal in its conciseness: he gave orders to awaken the prisoners; had Colonel Miller's company separated from the rest; placed the prisoners in three divisions under Alcerrica, Balderas, and Ramirez, who had orders to shoot them. Then he sent an official account of the affair to Santa Anna; also a letter to Urrea, protesting against receiving orders as a public executioner, and complaining that he and his Indians were doubtless left at Goliad for the purpose of carrying into effect the schemes Urrea had in view.[64]

Fannin, on account of his wound, was not marched out with the other Americans. He was unmoved when he heard that he was to be killed, but requested that he might not be shot in the head and that he might be decenty buried. Both these requests were denied him: he was shot in the head, and his body was placed with the others and burned.[65]

That Santa Anna alone was to blame for this horrible massacre is a well established fact. As head of the government, he was responsible for the passing of the law that foreigners taken with arms in their hands were to be executed.[66] He attempted to justify himself by declaring that the prisoners were very embarrassing to the commandant at Goliad; that before they had retreated they had set fire to the place, and that nothing was left but the church in which to house the Mexican sick and wounded; that the prisoners greatly outnumbered the garrison, and had constantly to be watched; that the Mexicans were poorly supplied with provisions;

[63]This account of the massacre at Goliad is taken principally from Urrea, *Diario*, 61-2.

[64]Urrea, *Diario*, 62-3.

[65]Bernard in Wooten (editor), *A Comprehensive History of Texas*, 627.

[66]The Law of December 30, 1835. This was a war measure, passed at the outbreak of hostilities, in view of the preparations carried on in various parts of the United States to enlist volunteers for the Texan cause.—Bancroft, *North Mexican States and Texas*, I, 234.

and that they were without cavalry to transport the prisoners to Matamoros.[67]

Colonel Juan José Holsinger, in his letter to John A. Wharton[68] would have us believe that Urrea did not intercede for Fannin's men, or at least that he did not inform Santa Anna of his personal promises to Fannin. Urrea vigorously denies this, and cites as proof the statement of Caro, in *Verdadera Idea*,[69] that when Urrea wrote Santa Anna recommending that mercy be shown the Americans, he received a vigorous reprimand, in which Santa Anna expressed displeasure that Urrea should stain his triumph by a badly misunderstood compassion. Urrea also shows that, if we consider the circumstances[70] under which Holsinger wrote this letter, we will understand that it was simply to save Santa Anna's life that he wrote it.

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[67]Extract from the Manifesto of Santa Anna, published in Yoakum, *History of Texas*, II, 521-22.

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[69]Caro, *Verdadera Idea*, 13.

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SEBASTIAN VIZCAINO: EXPLORATION OF CALIFORNIA

CHARLES E. CHAPMAN

Even before Rodríguez Cermenho had reached the end of his fateful voyage, there had appeared at Mexico City a rival for the glory and profit of making discoveries in the Californias, a man well acquainted with the galleon route and indeed a shipmate of Rodríguez on the *Santa Ana.* This was a certain Sebastián Vizcaíno, who from being a moderately successful merchant desired to convert himself into a conqueror and a "general," or commander, of a fleet, the same Vizcaíno who in later years headed an embassy to Japan. By his own account[1] he "lost a great deale of treasure and commodities" when Cavendish took the *Santa Ana,* but he made the round trip to Manila again, reaching New Spain in 1590 with a profit of 2500 ducats on an investment of 200.

In company with several others Vizcaíno worked out a plan which he hoped might prove an even richer windfall than that of the trade on the galleon. He and his associates approached the viceroy for a license to engage in pearl-fishing in the Californias, in return for which they agreed to furnish the government with information about that country. In 1594 the viceroy, Luis de Velasco, made a contract with them, but execution was delayed as a result of a quarrel between members of the company. The matter was brought before the courts, which ordered Vizcaíno and his companions to begin the voyage within three months' time. Matters were at this point when the Conde de Monterey reached Mexico. Believing that a policy of leniency would best serve the royal interests, he amended the decree of the court, and granted the company a concession to enter the Californias and reduce them by peaceful means to subjection to the crown, in return for which the conquerors were to have the usual vast privileges and exemptions granted to the pacifiers and settlers of new provinces. Accordingly, Vizcaíno, who had succeeded to headship in the enterprise, began to raise recruits for the expedition, when it was brought to the Conde de Monterey's attention that the original contract,

[1]In a letter to his father, dated June 20, 1590, translated and published in *The principal navigations, voyages, traffiques & discoveries of the English nation,* ed. by Richard Hakluyt. Everyman edition, VII (London and New York. 1907), 133-135.

under which Vizcaíno was acting, had reference only to the pearl-fishery and not at all to the entry and pacification of the land. This gave Monterey an opportunity to consider whether it was desirable to grant the concession he had promised. On this point he wrote to the king, on February 29, 1596, as follows:

I . . . found . . . that a reconsideration was necessary; for, it seemed to me, with regard to the person [Vizcaíno], his quality and capital are not sufficient in connection with an enterprise which may come to be of such vast importance, and one requiring greater backing and a method of proceeding other than what is now thought and deemed sufficient; for, even looking at the matter from the utilitarian point of view, although he make the journey at his own cost and without any expense to Your Majesty, it seems to be of little moment whether he goes for gain and in order not to lose the chance of good fortune, but of great importance the hazarding of not only the repute which would be lost among these nations of Indians if the natives of that country should repel this man and his people, but—this is the principal thing involved—that of the conscience and authority of the royal person of Your Majesty. It appeared to me to be risking much if an expedition which cannot lawfully be one of direct conquest, but one of preaching the gospel and pacification, and of bringing the people into subjection to the crown, were entrusted to a man as leader and chief whose position is obscure and who has not even in less degree, the resolution and capacity necessary for so great an enterprise.

Despite his somewhat unfavorable opinion of Vizcaíno, the viceroy decided, however, after taking counsel with the highest authorities in Mexico, that it would be contrary to justice not to let the expedition take place. As he put it, in the letter above referred to:

And, because I have deemed it meet for the service of Our Lord and that of Your Majesty, inasmuch as it was necessary to go on with the affair since it had been begun and as this man [Vizcaíno] does not possess notorious defects which can rightfully excuse Your Majesty from aiding and fomenting his undertaking, in order that the persons he has enlisted and intends to put on board ship, and who in number and condition make a reasonably good showing, may esteem and respect him, I have done all that lay in my power to show him honor while here and to clothe him with authority in view of the greater danger I foresee and fear on his account, though I would not say it to him—which is some lack of respect and an overbold bearing on the part of the soldiers whom he takes with him, so that in this way they may come to disobey his orders, all this giving rise to great disorder.

Vizcaíno at least displayed energy, and in March, 1596, his expedition got under way for the Californias. Three ships, with a large number of men, made up his force. As an indication of his intention to make a settlement it is to be noted that he carried four Franciscans (to convert the natives and reduce them to missions), some of the soldiers' wives, and a number of horses. In his voyage up the coast from Acapulco he lost fifty men by desertion, and one of the friars (because of illness) left the expedition. Crossing to the lower end of Baja California, he came at length, apparently about the middle of August, to the site which Becerra and Cortés had visited before him, and because the Indians received him so peacefully he gave it the name which ever since it has retained, La Paz (Peace). The winter storms of the Gulf of California, which had already begun, were such that he could proceed no farther with his flagship; so it was decided to establish a colony there while Vizcaíno himself should push on in the two smaller vessels to explore the northern shores of the gulf. Accordingly Vizcaíno started north on October 3. He encountered terrific storms, but weathered them, and at length came to a place where the Indians invited the Spaniards to come ashore. So Vizcaíno landed forty-five men. All went well, until a Spanish soldier "inconsiderately struck one of the Indians in the breast with the butt of his arquebus." In consequence there was a fight, in which some of the Indians were killed, but as a boatload of Spaniards were returning to their ship the Indians fired arrows at them from the shore. One man was hit in the nose, and this resulted in a commotion which led to upsetting the boat. Dressed as they were in heavy leathern armor, nineteen of them were drowned, and only five escaped by swimming.

In course of time this event became magnified in the telling until it reached the proportions of a very pretty legend. The story was told that a certain Don Lope, a page of the viceroy, besought the hand of Doña Elvira. The latter at length promised to marry him, provided he could replace a certain magnificent pearl she had lost. Consequently Don Lope joined Vizcaíno's expedition. Going on the voyage up the gulf he was one of the men who landed at the place where the battle with the Indians was fought, and was indeed the one who caused it. He saw the identical pearl which would suit Doña Elvira, and seized it from the lips of a chieftain's daughter. This not only brought on the battle, but also the en-

forced abandonment of the province. But Don Lope was well content, for he won his bride,—and then she confessed that she had not lost any pearl at all.

Vizcaíno now put back to La Paz, where he found that the colony was not maintaining itself too successfully. According to Franciscan accounts the Indians liked the friars, but objected to the soldiers, who paid scant attention to native customs and too much to native women. Furthermore, all were discouraged by the storms, which prevented their fishing for pearls, numerous indications of which had been found, and the food supply was running short. As the country was unsuited to provide for their wants, Vizcaíno gave orders for the return to New Spain. On October 28 the colony was abandoned, after an existence of about two months, and two of the ships sailed for New Spain. Vizcaíno in the third ship, with forty of his best men, made another effort, however, to explore the northern shores of the gulf. Again he encountered heavy storms, and this time they were so severe that the rudder-irons broke. Therefore he and his men made the best of their way back to New Spain, "God in pity conducting us," as he himself put it.

Arrived in Mexico, he was eager to make a fresh expedition. They had failed, he said, merely because the voyage had been made at the wrong season. At a different time of the year they might have avoided the storms, but this they could not have known before. He was full of praise for the Californias, though his own experience of them gave little warrant for his encomiums. There were innumerabe Indians eager to receive the gospel; the land was twice as large as New Spain and in a better situation, as concerned distance from the equator; pearls were "abundant and of excellent quality"; the waters were richer in fish than any other known sea; there were great resources in salt deposits; and twenty days to the northwest there were "towns of people wearing clothes and who have golden ornaments in the ears and nose, and they have silver, many cloaks of cotton, maize, and provisions, and fowls of the country and of Castile." In case he should be allowed to make another expedition he wished that lands with the Indians upon them be granted to him and his men,[2] and that they all be made nobles in one of the lower grades of nobility (*caballeros hijosdalgo*), besides receiving a grant of other assistance and favors.

[2]That is, in *encomienda* as it was called, a familiar institution of Spanish colonial machinery.

The Council of the Indies had already ordered, in May, 1596, that somebody other than Vizcaíno be chosen to effect the conquest, intending this measure to apply to the expedition on which in fact he had already departed. But the Conde de Monterey was now more favorably disposed toward Vizcaíno. He wrote of him that "in addition to possessing a practical knowledge of the South Sea [Pacific Ocean] and being a man of even disposition upright and of good intentions, he is of medium yet sufficient ability (although I had feared it was otherwise) for governing his people, and this coupled with energy enough to make himself respected by them." As for the voyage "the unfortunate ending . . . was not due to incapacity on the part of Vizcaíno, who on the contrary gave evidence of some ability and greater spirit than could have been expected from a mere trader engaged in an enterprise of this kind." The viceroy was not deceived by Vizcaíno's glowing descriptions, but was inclined to believe (as indeed the circumstances warranted) that the pearl fisheries might prove rich. He therefore recommended that Vizcaíno be assisted, out of royal funds, to make another expedition, but "for the purpose merely of ascertaining definitely what there is there, in order that complete assurance be had concerning the value of the pearl-fishery, and that greater light may be thrown on what relates to the defense and security of these realms and the ships which make the China voyage." Alluding to the voyage of Rodríguez Cermenho and the wreck of the *San Agustín,* he said that people were now convinced that the proper way to explore the northern coasts of the Californias was not by a voyage from Manila in the heavily laden galleons, but by going direct from New Spain in boats of light draught. This exploration, he thought, should be conducted on one and the same enterprise with discoveries in the Gulf of California. The Council of the Indies, under date of September 27, 1599, endorsed the viceroy's plan in the main, requesting that action be taken "with all possible speed." They put great emphasis on the character of the men to be enlisted for the expedition, wishing to take precautions against arousing the hostility of the Indians, but they ordered the explorations in the gulf and those along the Alta California coasts to be undertaken separately.

Yet the expedition was held back until 1602. One of the prime causes for the delay was a fresh entry of foreign ships into the Pacific, wherefore it became necessary to seek them out with all

the forces Spain could command. This time it was the Dutch who caused the trouble. In 1598 two Dutch fleets left Europe and sailed through the Strait of Magellan into the Pacific respectively in 1599 and 1600. One of these fleets, originally under Jacob Mahu and later under Simon de Cordes, did not in fact go very far north before making its way across the Pacific, but the other under Olivier van Noort made several captures off the west coast of South America, and reached the region of the equator before turning west. Notice of these voyages early reached New Spain, and rumors of foreign ships came in from all directions. Passengers on the *San Gerónimo,* the Manila galleon which reached Acapulco early in 1599, declared thev had seen four ships near Cerros Island, off the western coast of Baja California, but the Conde de Monterey reported, no doubt with correctness, that more likely they mistook the clouds for ships. With the actual captures made by Van Noort in 1600, Spanish fears were redoubled. One man, who had been a prisoner on Van Noort's ship, declared that the Dutch had accounts of the voyage of Cavendish in their possession and that they planned like him to catch the Manila galleon off Cape San Lucas. A Spanish fleet was therefore sent north from Peru under Juan de Velasco to look for Van Noort, and in September, 1600, it spent some days scouring the Baja Californian coast from La Paz to beyond Cape San Lucas. Finding no enemies they began to doubt their existence in those seas. As one of the captains (Hernando de Lugones) said: "There is news of the enemy everywhere, but they are like phantoms which appear in many places, whereas we find them in none." The immediate danger having in fact disappeared, preparations for the Vizcaíno expedition could now be resumed.

On March 18, 1602, formal instructions for the voyage were issued. These were set forth in great detail, but amounted substantially to what had been decided upon in 1597 and 1599 by the viceroy and the Council of the Indies. Vizcaíno was ordered to make a thorough exploration of the coast from Cape San Lucas to Cape Mendocino, employing two ships of moderate size and a launch, which could get near the coast for close-up observations. On no account was he to go inside the gulf, unless perhaps in passing, on the return journey; indeed, in an earlier communication, dated March 2, 1602, the viceroy informed him that he would incur the penalty of death if he disobeyed in this particular. If weather

permitted he might continue his explorations beyond Cape Mendocino to Cape Blanco,[3] but if the coast had a westward trend from Cape Mendocino he was to go a hundred leagues only and not more. Emphasizing the fact that this was a voyage for exploration of the coast only, the viceroy said that Vizcaíno was not to stop for a thorough examination of any great bay he might find, beyond observing the entrance thereto and discovering shelter for shipping; in view of the interest in the Strait of Anián this indeed manifested a desire to discover only so much as might surely be possible, rather than the pursuit of wild schemes. Furthermore, he was to make no settlements and was to take great pains to avoid conflicts with the Indians.

No expense had been spared in providing for this expedition. The crews, about two hundred men in all, were carefully selected, most of them being enlisted in Mexico City as both sailors and soldiers. There were three ships of better than usual quality: the *San Diego,* the flagship, on which Vizcaíno sailed as "general" of the expedition; the *Santo Tomás,* under the "admiral" Toribio Gómez de Corbán, a sailor of long experience in European service; and the launch, or "frigate," *Tres Reyes,* under Sebastián Meléndez, succeeded later by Martín de Aguilar. In addition there was a long-boat, but that was left behind at the lower end of Baja California, though picked up again on the return journey. An expert map maker was taken along in the person of Gerónimo Martínez[4] de Palacios, who in fact performed his tasks most meritoriously.[5] Several other officers and special counsellors of the general went along, besides three Carmelite friars. One of the last named was a certain Father Antonio de la Ascensión, a former pilot, and also something of a cosmographer. His account of the voyage was for many years the best known of the original sources, though his diary is not now extant. Incidentally, the general was accompanied by his son. Provisions for eleven months were carried.

On May 5, 1602, the expedition left Acapulco. Making his way up the coast, Vizcaíno crossed over to Cape San Lucas, requiring

[3]It is interesting to note that the Spaniards already had some idea of the coast as far north as Cape Blanco,—doubtless through voyages of the Manila galleon.

[4]The name of Martínez appears in some documents as Martín.

[5]A series of maps, presumably by Martínez and beautifully done in colors, is to be found at the Archivo General de Indias in *legajo* 60-4-37. Exact reproductions now exist in the Bancroft Library.

several days for the voyage, on account of the winds encountered. The voyage from the Bay of San Bernabé (near the cape), in which he had cast anchor on June 11, to San Diego may be passed quickly in review. It proved to be one of extreme difficulty, for headwinds were met with all the way. For example, the general was three times blown back to the port of San Bernabé before he could round the peninsula to northwestward, and one ship was obliged to return a fourth time. Some days not a league was made, and tacking back and forth was always necessary. Frequently the ships were separated, but managed to find one another again. One of the worst difficulties was in keeping up the water supply off the sterile west coast of the peninsula. "It was not very fresh and was green," said Vizcaíno of one standing pool of water, "but the bottles we carried were filled with it." Always, however, a supply would be found, though absolute want often threatened. Nevertheless, careful explorations of the coast were made, and names were applied without much regard to those given by earlier voyagers.

After a voyage of over four months from San Bernabé, from which he had succeeded in departing on July 5, Vizcaíno passed the line of what was later to become Alta California. "Sunday, the 10th of the month," he said, "we arrived at a port which must be the best to be found in all the South Sea [Pacific Ocean], . . . protected on all sides and having good anchorage." Two days later, on November 12, the day of Saint James (San Diego), a mass was celebrated, and the name San Diego, which it still bears, was given to the port, thus doing honor not only to the saint but also to the general's flagship. Here a stay of ten days was made to repair the ships and give the crews a chance to recover from sickness. Leaving San Diego on November 20, Vizcaíno sighted Catalina Island on the 24th, the day of Saint Catherine (Santa Catalina), wherefore he gave it the name it has since retained, though he did not come to anchor there until the 27th. While there, an incident occurred that is worth reciting. After relating a visit Vizcaíno made to the interior of the island, where he saw an Indian idol and "placed the name of Jesus on the head of the demon, telling the Indians that that was good, and from heaven, but that the idol was the devil," the diary of the voyage goes on to say:

The general returned to the pueblo, and an Indian woman

brought him two pieces of figured China silk, in fragments, telling him that they had got them from people like ourselves, who had negroes; that they had come on the ship which was driven by a strong wind to the coast and wrecked, and that it was farther on. The general endeavored to take two or three Indians with him, that they might tell him where the ship had been lost, promising to give them clothes. The Indians consented and went with him to the captain's ship, but, as we were weighing anchor preparatory to leaving, the Indians said they wished to go ahead in their canoe, and that they did not wish to go aboard the ship, fearing that we would abduct them, and the general, in order not to excite them, said: "Very well."

Apparently Vizcaíno thought that some near-by wreck of an unknown ship was referred to, but the reader of the Rodríguez Cermenho account will at once recognize that the reference was to his visit there seven years before and that the *San Agustín* far to the north in Drake's Bay was the wrecked ship indicated.

Going up the Santa Barbara Channel, so named by them, Vizcaíno and his men were harangued by an intelligent old chief, who "made himself so well understood by signs that he lacked nothing but ability to speak our language." He had come out in a boat to persuade them to stop at his village, and "such were the efforts of this Indian to get us to go to it that as a greater inducement he said he would give to each one of us ten women. . . ." But as the wind was then behind them for the first time since leaving Acapulco and as winter was coming on, the Spaniards decided to continue on their course. Rounding Point Concepcion, which they so named, they sighted Santa Lucia Mountain, to which also they gave the name that still remains. Coming to "a large bay," Vizcaíno sent the launch ahead to explore it for a port, "for this country was the most important of the exploration for the purposes of His Majesty," because it was at this point that the Manila galleon would be most desirous of finding suitable anchorage. This was on December 15. The report of the commander of the launch was favorable, and on the next day the fleet entered the bay to procure water and restore the sick, of whom there were many. They were now in Monterev Bay, which they so named in honor of the viceroy. Near by, too, they discovered the Carmelo River, and named it.

The so-called discovery of the Bay of Monterey—so called, because Rodríguez Cermenho had seen this bay almost seven years

to a day before Vizcaíno did—was the capital event of the expedition. According to Vizcaíno:

We found ourselves to be in the best port that could be desired, for besides being sheltered from all the winds, it has many pines for masts and yards, and live oaks and white oaks, and water in great quantity, all near the shore.

In his letters, too, he praised the port:

in addition to being so well situated in point of latitude for that which His Majesty intends to do for the protection and security of ships coming from the Philippines . . . the harbor is very secure against all winds. The land is thickly peopled by Indians and is very fertile, in its climate and the quality of the soil resembling Castile.[6]

And again:

it is all that can be desired for commodiousness and as a station for ships making the voyage to the Philippines, sailing whence they make a landfall on this coast. This port is sheltered from all winds . . . [and] if, after putting to sea, a storm be encountered, they [the Philippine ships] need not, as formerly, run for Japan, where so many have been cast away and so much property lost.

In these statements Vizcaíno was borne out by Ascensión, who called it "a fine port" and went on to say:

This is where the ships coming from the Philippines to New Spain come to reconnoitre. It is a good harbor, well sheltered, and supplied with water, wood, and good timber.

The curious feature about these reports (and much more might be added to them, including references to the vast wealth in gold and silver that the Indians said was to be found in the interior) is that nearly all they had to say was true, save for the yarn about the excellence of Monterey as a sheltered port, but it was precisely this departure from strict accuracy that had the most effect; the legend of the port of Monterey became one of the moving factors for a century and a half in Spanish expansion to the northwest.

At Monterey the crews were landed and a council was held to determine what the expedition should do. Owing to the unexpectedly long time required for the voyage thus far (more than

[6]Vizcaíno to the king (?). Monterey, December 28, 1602.

seven months), the supplies were becoming exhausted. Some forty-five or more of the men were sick with the scurvy and several had died—sixteen according to one account. It was decided that Admiral Gómez in the *Santo Tomás* should return at once to New Spain, taking with him those who were sickest and also the reports of the voyage. On December 29, therefore, Gómez started back, and eventually made port,—with a loss of twenty-five of the thirty-four men he had on board.

The other two ships left for the north on January 3, 1603. On the 5th they parted company in a storm, and did not again see each other during the rest of the voyage. That same day Vizcaíno came to anchor outside the harbor at Drake's Bay, but was driven away the next morning by an offshore wind. Several of Vizcaíno's men had been at Drake's Bay before, on the *San Agustín,* notably Francisco de Boláños, chief pilot of the *San Diego,* who recognized the bay as the place where Rodríguez had stopped. On the 12th Vizcaíno at last reached Cape Mendocino, whence, in accord with his instructions, he was at liberty to turn back, but the storms drove him somewhat farther to the north, until January 21, when he was able to start the return journey. Meanwhile the intense cold and sickness of the men, of whom at one time "there were only two sailors who could climb to the maintopsail," had combined with the storms to produce great hardship. "The pitching was so violent that it threw both sick and well from their beds and the general from his. He struck upon some boxes and broke his ribs with the heavy blow."

The return voyage, however, was comparatively simple from the standpoint of the winds, for now they helped the ship along its course, whereas, before, they had been a constant hindrance. But the men were so sick with the scurvy and the provisions were now literally so "rotten," that it was a race with death. Yet some explorations of the coast were made, to supplement what they had done on the northward voyage, but they did not dare to stop lest they should be unable to get the anchor up again. Giving up the originally projected exploration of the Gulf of California, the general decided, "as the sick were dying of hunger because they could not eat what was on board the ship on account of their sore mouths," to run for the nearest point of the mainland. Coming to Mazatlán on February 18, Vizcaíno and five men, who alone on the ship were able to walk, went ashore to look for help. "With-

out knowing the way, he traveled thirteen leagues inland through mountains and rugged places, for the pueblo of Mazatlán," but lost his way. Fortunately he chanced upon a pack-train, and was thus enabled to get help for his comrades. With rest and proper food the men soon got well, and they took up the voyage to Acapulco, which they reached on March 21.

Meanwhile the *Tres Reyes* had been driven north to Cape Blanco. By that time Martín de Aguilar, the commander, and Antonio Flores, the pilot, had died, whereupon the boatswain, Esteban López, turned the boat around and sailed for New Spain, reaching Navidad on February 26, 1603. Two men besides the two officers had died on the voyage. The narrative of this voyage, as told by the presumably ignorant boatswain, gave rise to one of the most fruitful of the Strait of Anián stories. Six leagues above Point Reyes, he said, they came upon "a very, very great river" from the southeast,—evidently Tomales Bay. Farther north

> in 41°, near Cape Mendocino, they found a very great bay, into which there entered a mighty river from the northern shore. It runs with such a strong current that although they were a day struggling against it with the wind behind them they could not enter it more than two leagues.

Through what seems to have been a mistake of the Franciscan historian Torquemada, this was stated as in 43°, the limit of the voyage, but the boatswain said it was "near Cape Mendocino," and at another place in his account intimated that it was below it. This agreed with the charts of the voyage, which entered "Aguilar's River" in 41° and Cape Mendocino in 41° 30′. In course of time this river became an almost transcontinental stream, or at the least a great western sea, in the imaginations of the map makers. There seems to be nothing in the place described to correspond even remotely to the description. It is a temptation, however, to believe that the boatswain was confused and that Humboldt Bay, which is "near" Cape Mendocino, though north of it, was the famous great bay discovered by Aguilar. At all events, both the *San Diego* and the *Tres Reyes* missed the real great bay with the powerful river, for they did not get sight of the Bay of San Francisco, either going or coming.

The voyage of Vizcaíno had been a distinct success. Despite the great difficulties he had encountered, including the loss of from

forty-two to forty-eight men (according to different estimates made), he had carried out, to the full and thoroughly, the orders of the viceroy, though it had not been possible, owing to the storms and the sickness of the men, to explore the coasts above Monterey so carefully as he had up to that point. Fortunately for his fame as a discoverer, two things occurred. The reports of his voyage became widely known, and soon were embodied in printed works; but the voyage was not followed up, and the legend of Monterey, to say nothing of Aguilar's River, was allowed to stand. The Conde de Monterey now had nothing but words of praise for the erstwhile "mere trader," and appointed him to the lucrative post of commander of the next galleon bound for Manila. Suitable rewards were also given to others who had taken part in the expedition. It now becomes pertinent to enquire why the plan for the occupation of Monterey, or at least of its utilization as a port of refuge for the galleon, was given up. In 1603, shortly after Vizcaíno's return, the Conde de Monterey was succeeded as viceroy by the Marqués de Montesclaros, who not only threw cold water on the plans of his predecessor but also acted in a manner displaying either spite or else a desire for graft. In a letter to the king[7] he objected to the former viceroy's having appointed Vizcaíno as commander of the galleon sailing from Acapulco in 1604, six months after Montesclaros himself should be in office. He had countermanded the order, and made Vizcaíno *alcalde mayor* (chief justice and mayor) of Tehuantepec, which he stated was fully as much as he deserved. Later he claimed that Vizcaíno had tried to bribe him to make him commander of the galleon, wherefore he dismissed him from the service. The fate of Martínez, the expert cartographer, was even worse. The Conde de Monterey had given him a rich appointment on the galleon. Not only did Montesclaros deprive him of this, but he also caused charges to be brought against him for forgery, and Martínez was condemned and hanged. These measures produced a distinctly unfavorable impression at court, and there were several royal decrees of 1606 whose combined purport was the following: Vizcaíno was to be made general of the galleon leaving Acapulco in 1607, and was to make a thorough survey of Monterey on the return voyage, with a view to the founding of a settlement there; upon his arrival in New Spain he

[7]October 28, 1605.

was to be given a number of colonists of the best type, to settle at Monterey; these men were to be offered such inducements as might seem to be necessary (presumably lands, with the Indians in bondage), and a considerable sum of money out of the royal treasury was to be provided for the enterprise.

Montesclaros now found a new way to evade the issue. The galleon for 1607 had sailed before the king's orders came, he wrote,[8] and Vizcaíno himself had gone to Spain. It was true that there ought to be a port of refuge for the galleon, but it should be nearer Japan, for it was from the Philippines to just beyond Japan that the worst storms were encountered; when the galleon reached the Californias, the voyage was nearly over, for it required only twenty-five to thirty days to run down the coast to Acapulco, with a favoring wind, too, to help the ship on its way. The best thing to do would be to find the two islands called Rica de Oro and Rica de Plata in 34° to 35°, somewhere far to the west of Monterey.

This revived an old story of uncertain origin. At some time in 1584-1585, when Pedro de Moya was viceroy, a letter was addressed to him by a certain Father Andrés de Aguirre. Aguirre said that he was with Urdaneta in 1565 when that sailor-friar established the Manila galleon service, and that Urdaneta showed him a copy of a document about certain rich islands in the Pacific. Strange as was the account of Father Aguirre, it is worth inserting, for it was this tale, as used by Montesclaros, that changed the course of California history. As Aguirre remembered it, the gist of the story was as follows:

A Portuguese ship sailed from Malacca for the islands of Japan and at the city of Canton took on board Chinese goods. Arriving within sight of Japan she encountered a storm coming from the west, so severe that it was impossible to fetch those islands and she ran before it under very little sail for eight days, the weather being very thick and no land having been seen. On the ninth day the storm was spent and the weather cleared, and they made two large islands. They reached one of these at a good port well peopled, there being a great city surrounded by a good stone wall. There were many large and medium sized vessels in port. Immediately on their entering the harbor there flocked to the ship a great number of persons well-dressed and cared for and manifesting much affection for the people of the ship. The lord of that island and city, learning that they were merchants, sent to the

[8]May 23, 1607.

captain of the ship to say that he and those of his people he might select should come ashore without any fear that they would do them harm. On the contrary, he assured them, they should be received well, and he requested that they should bring with them the manifest of the goods the ship brought, for they would take them and trade for them to their content. The captain communicated this to his people, and it was resolved that the notary of the ship should be sent ashore with the manifest and two merchants, one a Portuguese and the other an Armenian, residents of Malacca. The lord of the land received them in his house, which was large and well built, and treated them with affection, making them presents, they understanding one another by signs. The land was very rich in silver and other things, silk and clothing. The notary and the Portuguese merchant returned to the ship in order to land merchandise and store it in a building which was assigned to them for that purpose, while the Armenian remained with the lord of the land and was treated very hospitably. The merchandise having been taken ashore, and a vast number of persons coming to purchase it, bringing a great quantity of silver, it came to pass that in some thirty days they sold all the goods, making great gains, so that all became very rich, and they loaded the ship with silver. During the time that they were on the island they learned that the lord was suzerain of the other island also, which was within sight, four leagues away, and of others which were near to these, all being rich in silver and very populous. This people is white and well-formed, well cared for and clothed in silk and fine clothing of cotton; an affectionate and very affable people. The language differs from that of the Chinese as well as that of the Japanese, and is readily learned, for, in less than forty days that the Portuguese passed on the island, they were able to converse with the natives. These islands abound in the means of maintaining life well—rice, which is the bread they use; fowls like ours in great number; tame ducks and many hogs; goats; buffaloes and deer and wild boars in great abundance; various birds and game and fishes many and good, and a great plenty of many kinds of fruit. The climate of the land is very good and healthy. These islands are in from thirty-five to forty degrees. The difference in longitude between them and Japan cannot be arrived at, because they had run before the gale and the weather was very thick and obscure. They ran from Japan to the eastward; and, having disposed of their merchandise, they returned to Malacca. They named these islands, out of regard for the Armenian merchant, who was greatly respected by the people of the ship, "Isles of the Armenian."

These were the islands which, as Rica de Oro and Rica de Plata, Montesclaros now proposed to find. Shortly afterward[9] he brought

[9]August 4, 1607.

his guns to bear on the project for a settlement at Monterey. This time he used the plea which rarely failed, whatever the angle from which it was introduced,—that of foreign danger. The greatest strength of the royal dominions in the Pacific, he said, was that of the difficulty the king's enemies had in getting there or in remaining, after they had arrived. It was on that account that they had been so desirous of finding a strait above Cape Mendocino. To settle Monterey, therefore, would endanger the Spanish empire, for it might serve as a port where enemies as well as Spaniards could refit and procure supplies. And he had already pointed out that Monterey was not necessary for the galleon, while in addition it was too far away from New Spain to be armed against impending dangers.

The ideas of Montesclaros bore fruit. The Council of the Indies gave up the plan for a colony at Monterey, and diverted the funds to a wild-goose chase for the two mysterious islands. The story of Vizcaíno's voyage of 1611-1613 to Japan and of his fruitless search for the two islands has already been told. Meanwhile Alta California was saved for over a hundred and fifty years in the blissful obscurity it needed if the English colonists who were just making their first successful settlements along the Atlantic coast were ever to have their opportunity to acquire the golden area on the Pacific. Out of it all, Vizcaíno retained his fame as the discoverer of the wonderful port of Monterey,—though neither was he the discoverer nor was the port wonderful,—but he lost his chance to become the California Portolá, as Ascensión, perhaps, its Serra. Yet, despite his over-enthusiastic exaggeration, he had played the part of a thorough-going man.[10]

[10]Such a vast body of materials on Vizcaíno has been uncovered in recent years that the career of this important figure in California history ought to be made the subject of a doctoral thesis. Several transcripts (in the Bancroft Library) from documents in the Archivo General de Indias of Seville, Spain, have been used in the preparation of this chapter, though the following items were more particularly relied upon:

1. *Documents from the Sutro collection*, orig. Sp. and tr. ed. by George Butler Griffin, in Historical Society of Southern California, *Publications*, II, pt. I. Los Angeles. 1891. Fifteen of the nineteen documents range in date from 1584 to 1603. Five of them were made use of in the preceding chapter, and the other ten here.

2. *Documentos referentes al reconocimiento de las costas de las Californias desde el Cabo de San Lucas al de Mendocino*, ed. by Francisco Carrasco y Guisasola. Madrid. 1882. This contains forty-four documents ranging in date from 1584 to 1609. Many of the more important appear in item 1 above. Some of the others were also used.

3. *Spanish exploration in the southwest, 1542-1706*, tr. ed. by Herbert Eugene Bolton (New York. 1916), in *Original narratives of early American history* series. This contains a translation into English of a diary of the 1602-1603 voyage (attributed to Vizcaíno) and of the relation written in 1620 by Father Ascensión, who had been a member of the same expedition.

4. Torquemada, Juan de. *Primera [segunda, tercera] parte de los veinte i vn libros rituales i monarchia indiana*, I. Madrid. 1793. This account is the one that has heretofore been almost the only source for material about Vizcaíno. It has some facts not appearing elsewhere.

MINUTES OF THE AYUNTAMIENTO OF SAN FELIPE DE AUSTIN, 1828-1832

X

EDITED BY EUGENE C. BARKER

On motion of the president the subject of establishing boards of health in this town and in such other sections of the Colony as may be deemed expedient was discussed and it was ordered by the Ayuntamto. that in asmuch as the Chief of this Department has communicated to this body the fact of the existence of the contagion called the smallpox in Bexar and Goliad (formerly Labahia) and recommending to this body the establishment of boards of health for the purpose of protecting as far as may be practicable the inhabitants of this jurisdiction from the ravages of this serious disease that the persons hereinafter mentioned shall within their respective precincts or neighborhoods compose a board of health.

first for the Town of San Felipe de Austin, Doctors James B. Miller, Robert Peebles, and Socrates Moseley [p. 9] Francis W. Johnson Alcalde and Robert M. Williamson Sindico procurador Messrs Luke Lesassier and Wm. H. Jack.

second for the town of Brazoria. Asa Brigham Comisario, Doctors Francis F. Welles J. B. Walls, Messrs. A. B. Stewart and John Austin

third for the town of Harrisburg Samuel C. Hirams Comisario, S Bundick Sindico, Messrs. David Harris, Wm. P. Harris and Ephraim Fuqua.

fourth for the upper settlement on this River and Mill Creek Doctor Wright. Thomas S. Saul J. P. Coles, Nestor Clay Abner Kuykendall and Levi A. Bostic.

fifth, for the Bay Prairie and lower part of the Colorado Lawrence Ramey Comisario Dr. C. G. Cox Thomas M. Duke, Robt. H. Williams, Aylett C. Buckner and James Cummins

sixth for the town of Gonzales J. B. Patrick, Comasario. Thos. R. Miller sindico, Messrs. Green DeWitt Ezekiel Williams and Joseph Clements.

The following resolution of the body on motion of the Prest. was then adopted That inasmuch as this Ayuntamto. has recd information that Padre Miguel Muldoon has been appointed curate

of this place, and is now on his way to take charge of his curateship, that R. M. Williamson, sindico procurador Mr. Luke Lesassier and Samuel M. Williams be and are hereby appointed as a committee from this body to wait upon the said Padre Muldoon, and offer to him the high considerations of the body, and to provide such conveniences for his comfort as the circumstances and situation of the place will admit.

On motion of R. M. Williamson sindico procurador ordered that the president be authorized, to have the necessary repairs made to the building now occupied by the Ayuntamto. Hall so as to render it secure from the weather, and to make [p. 10] it answer for the purposes for which it was intended, or for those for which it is now occupied and to contract for the work to be done on the best terms possible and pledge the faith of the Municipality for the payment of it.

On motion of the president ordered that Robert M. Williamson be appointed a committee to make a settlement with Nichs Clopper for the purchase made of a house in this town and also to enquire into the situation and state of the respective subscription lists, in which voluntary subscriptions were made for the purpose of defraying the expence of the purchase of said House. Further ordered by the Ayuntamiento that Francis W. Johnson, prest. Robert M. Williamson sindico procr. Luke Lesassier, James Whiteside and William Morton be appointed a committee to form and report a plan of taxation for the purpose of raising a sufficient fund to defray the current expences of the Municipality, the debts now due by the same, and also to defray the expence of building a Jail and a building sufficient for transacting the business of the Ayuntamto. and Alcalde in, and for the preservation of the archives of the body—And also to form and report a plan of the buildings desired and an estimate of the probable cost of erecting and finishing them. which report must be made to the Ayuntamto. on the 2d day of April next.

further ordered that Robt. M. Williamson be appointed as a committee to examine into and report the true situation of the tax on town lots now due to the Municipality and also the situation of the various judgments in favor of the Municipality for fines imposed on various individuals, and also to make such collections on account of the same as may be practicable.

On Motion of Robert M. Williamson ordered that a Patrol be

formed for the town and neighborhood of San Felipe de Austin and that Francis W. Johnson and Luke Lesassier be appointed as a [p. 10a] **committee to frame the regulations necessary for the management of the patrol. Convinced of the zeal and energy of Citizen Thomas Gay the ayuntamiento appointed him captain of the patrol.

On motion of the President, the ayuntamiento ordered that all stores, shops, and other places in which liquor is sold shall be closed promptly at ten o'clock at night, and that each person who does not obey, or violates this order by keeping open his store or shop after the hour fixed, shall be fined $10 for each infraction of the order—Understanding that this provision does not extent to the taverns, open for the accommodation of travelers, but it is necessary for the bars to close at ten o'clock.

A petition from Noah Scott was presented praying that he be excused from the fine imposed on him last year. This was rejected.

On motion of R. M. Williamson, ordered that the best arrangement possible be made with Surveyor Thomas H. Borden or some one else to run the line for the road from this place to Josiah H Bell's house and thence to the Town of Brazoria.

On motion of the president an election was ordered at the house of William Robinson on the Colorado and at the house of William Barton on the same river for the election of officers for the 6th company of the civic militia. These elections are to be held on the 16th of April. Robinson will preside over one and the Sindico procurador, R. M. Williamson will preside over the other.**[44]

[p. 11] The report of James W. Jones and George Huff the committee appointed to examine and report the most direct and best rout for a road from the house of said Huff to Wm. Mortons on the Brazos River, was read and approved and ordered to be filed

An account of G. B. Cottens was presented to the body for advertising in the Texas Gazette amtg. to 16$ which was rejected on account of said Cottens having agreed with the Ayuntamto. of last year to publish all advertisements etc for one year for a stipulated sum which has been paid him.

The body entered into a discussion relative to the non-compliance on the part of Pleasant D. McNeel third Regidor with the duties which the laws prescribe and his having failed to attend any

[44]Part of the English is missing, and that part of the text between the asterisks is translated from the parallel Spanish.

session of the body since his election altho frequently notified to do so. In consequence of which and in compliance with the 10th article of the municipal ordinance the body declared that a fine should be entered up against him of Ten dollars and further that should he fail to attend the next session that he be reported to the Chief of Department as a member who refuses to comply with his duties.

The Ayuntamto. then ordered that a memorial be addressed to the Legislature of the state praying it to provide a company of Rangers. The ayuntamto. adjourned

Samuel M. Williams

[p. 12] In the Town of San Felipe de Austin on the fourth day of the month of April 1831 The Ayuntamiento met in regular session present Francis W. Johnson Alcalde, Randall Jones 2d Regidor William Robinson 4th Regidor and Robert M. Williamson sindico procurador. Absent Walter C. White 1st Regidor by permission, and Pleasant D. McNeil 3d Regidor not yet having taken his seat.

The acts as recorded of the last session were read and approved.

It was then ordered by the body that the plan submitted by the Committee, to whom was referred the subject to raise funds by taxation to defray the expenses of building a jail and other buildings necessary for the local municipal authorities to hold their sessions in and to preserve the records of the Colony, be adopted and passed to the Chief of this Department for his approval and to be transmitted to the Legislature of the State.

Each and every drug shop, tippling shop or retailer of spirituous liquors in any quantity less than one quart shall pay a licence of twenty five dollars.

Each and every keeper of a tavern or public house residing in a Town shall pay per annum for a licence thirty dollars. Each [p. 13] billiard table fifty dollars.

Each practising physician twenty five dollars. Each practicing Lawyer in conformity with the 57th art. of the Municipal ordinances with the difference that a foreigner shall pay 200$ instead of 150$

Each person who sells merchandise in conformity with article 58 of sd. ordinances, with the difference that a foreigner shall pay 200$

Each and every League of land for which title has issued two Dollars.

Each and every half League of land one dollar & twenty five cents.

Each quarter League of land Seventy five cents

Each labor of land fifty cents

Each and every proprietor of land other than that above enumerated shall pay in the above proportion

Each and every out lot in a territory comprehended within the limits of any Town One Dollar. Each and every in lot in conformity with the plan of said Town two dollars, With the exception of the town of Austin whose charter regulates the tax on lots.

Each and every Negro over the age of eight years the sum of One Dollar provided that no Negro who is unfit for service from age and infirmities be subject to taxation. A [p. 14] petition of Thomas J. Gazley praying that the title for lots numbers 136 & 139 be made to him, in virtue of a transfer and sale of sd. lots made by Phinneas Jones & Co. to said Gazley. The Ayunto. ordered that the title as prayed for be made. And there being nothing further before the body it adjourned to the next regular term.

[p. 15] In the town of San Felipe de Austin 2d of May 1831. The Ayuntamto. this day met in regular session and the meeting opened by Pleasant D. McNeil appearing and taking before the Alcalde the oath of office as 3d Regidor the following members being present. Francis W. Johnson prest. Randall Jones 2d Regidor P. D. McNeil 3d Regidor—Wm. Robinson 4th Regidor and R. M. Williamson Sindico procurador Walter C. White 1st Regidor being absent on leave.

The Prest. called for a reading of the acts of last meeting which was done and they [were] approved.

On motion of the president ordered, that a committee be appointed to regulate the fees and charges of licenced physicians, and doctors Miller and Moseley the president and Wm. Robinson 4th Regidor were appointed the Committee to report a tariff or fee bill at the next regular session.

The report of the committee to whom was referred the subject of the repairs necessary to be made to the building purchased for a temporary church was read and adopted by the unanimous vote of the body.

A petition from Nelson Smith was read, praying a release from certain disabilities incurred under an order of the body last year, in the month of decemr. The prayer was unanimously granted.

And the Ayuntamto. ordered that the agent of the Empresario Austin be notified that said Smith is released from the impediments which heretofore existed [p. 16] to his receiving land as a Colonist.

A petition from N. Clopper praying for a title to town lot No. 17 was read and granted.

An account of Patrick Green for repairs done in the building occupied as a Municipal Hall amtg. to $20—was admitted subject to a deduction of three dollars & fifty cents

An account by Wm. H. Jack for house rent from the 1st Jany to 18th March at the rate of 15p. per month allowed.

An account of Thos Davis for services rendered as a guard amtg. to $13.25 was postponed or deferred to the next meeting

a do of A Blairs 110 50/100 deferred

A do of Thos. Alley $13 25/100 deferred

A do of James Small $102 25/100 deferred

A do of Wm. B. Whiteside $12 25/100 deferred

The above account being for services rendered as a guard were deferred for further consideration

An account by James Whiteside for boarding prisoners H. H. League and Seth Ingram rejected that is so much of it as regards board.

The returns made for Election of Company officers being informal were rejected.

On motion of the prest. ordered that the Lots purchased by Dudley J. White be sold on the 2d day [p. 17] of June next, he having failed to comply with the obligations under which he purchased them and which had by an order of the body of last year been ordered sold in February last.

NOTES AND FRAGMENTS

Historical Election Ballots.—Printed below are copies of ballots used in Nacogdoches and Angelina Counties in the special election held on Saturday, January 19, 1861, to elect delegates to the "Secession" Convention of Texas. The faction supporting state action and a Southern Confederacy was for immediate secession, while the "Southern Coöperationists" favored joint action of the Southern states *within* the Union in the hope of obtaining some satisfactory compromise with the Northern states, with secession only as a final resort. Both sides agreed that the proceedings of the Convention should be submitted to the vote of the people, chiefly because there was some doubt as to the legality of the election, which had not been ordered by the legislature, but called by a group of citizens.

In Nacogdoches and Angelina the Coöperationists won, electing their full ticket. The certificates of election are printed in Winkler, *Journal of the Secession Convention of Texas, 1861,* pp. 412-413. Three of the four delegates elected were already members of the legislature, Fall, a senator, and Clark and Edwards, representatives. When the legislature, which convened a few days later, passed a joint resolution assenting to and approving the call of the Convention, Fall voted for the resolution and Clark and Edwards against it. These three were admitted to seats in the Convention on January 30. There is no record that Guinn ever attended. Clark, Edwards and Fall voted *for* the ordinance of secession on its final passage, and also for submitting it to the people for ratification.

State Action.[1]

SOUTHERN CONFEDERACY.

All acts of the Convention to be submitted to the People.

For Nacogdoches and Angelina.

M. G. Whitaker.

For Nacogdoches.

George F. Moore,
B. Hardeman.

[1]The originals of these ballots were presented to the Library of the University of Texas by Mr. H. W. McGee, of Marshall, Texas.

SOUTHERN CO-OPERATION TICKET.

The Proceedings of the Convention to be submitted to the People.

FOR DELEGATES.

H. H. Edwards,
Wm. Clark, Jr.,
J. N. Fall,
J. W. Guinn.

C. W. Ramsdell.

BOOK REVIEWS.

The Ewing Genealogy with Cognate Branches. A survey of the Ewings and their kin in America. By Presley Kittredge Ewing and Mary Ellen (Williams) Ewing. 1919. Pp. XIV, 185, XLV.

This is the title of a book of more than ordinary interest. The compilers became residents of Houston in 1882, soon after their marriage, and almost immediately began to fill important places in the community. The passing of Mrs. Ewing on April 1, 1919, was a loss, not only to her family and near friends, but to many branches of useful, beneficent work in which she was engaged. The beautiful "In Memoriam" which adorns the first pages of the book is touchingly pathetic in its tribute to one who was distinguished by her helpfulness in every phase of her life.

The book comprises 180 pages, exclusive of illustrations and index. The coats of arms of the Ewings and Kittredge families, and that of Williams, are appropriately placed with their respective records, and these, together with pictures of twenty-four members of families, and two homesteads, complete a set of illustrations reflecting the general excellence of the volume.

The Ewing family traces its descent from Scotch Irish ancestors, who lived near Stirling Castle, Scotland, and Coleraine, Ireland, through the first emigrant who came to America in the early part of the eighteenth century, down to the present generation. Mrs. Ewing's genealogy, as shown in the family trees of Williams, Field, and Mills, illustriously woven into the history of England, and transplanted into the colonies of America, contributed liberally to the upbuilding of the nation.

A. B. Looscan.

Houston's Part in the World War. Edited by Mrs. W. M. Baines, Houston, 1919. Pp. 204.

This book is most comprehensive in its scope, dealing as it does with all the War activities of Houston, grouped under appropriate headings, from April 6, 1917, when America entered the War, to the celebration of the first anniversary of the Armistice, November 11, 1919.

The dedication by the editor is to "all the War workers," and a special tribute to the women from the pen of Mrs. Belle Costello, forms the introduction.

One of the first illustrations shows the bronze pedestal of the flagstaff, erected through the efforts of the War Mothers to the Houston soldiers, dedicated August 10, 1919. The book is creditable in every way, the typographical work is good, the many illustrations of excellent quality, the subjects impartially chosen and skillfully handled.

The War fairly won, and the Armistice anniversary duly celebrated, the Houston Ship Channel claimed its share of attention, and the last pages are devoted to a poem on "Texas," celebrating her glory in war, her grandeur in peace.

A. B. Looscan.

The History of the Texas Federation of Women's Clubs. Edited and compiled by Stella L. Christian. Published by the authority of the Texas Federation of Women's Clubs. Houston, Dealy-Adey-Elgin Co., C. 1919. Pp. X+398.

The Texas Federation of Women's Clubs, organized at Waco in 1897, has year by year since that time "been weaving itself into the constructive policies of its native State, each year becoming a larger factor in that which makes for better homes, better schools, better citizenship."

Mrs. Christian's history of the Federation, which covers the period, 1897-1917, is, therefore, a contribution to the annals of the present generation. With one exception, each of the ten presidents whose administrations are treated, furnished a resume of her own administration. That exception is Mrs. Anna J. H. Pennybacker, who was in view of her work as General Federation president asked only to write the preface. The editor has added to the material furnished by the president's quotations from "news-

papers and magazines of the day, and from the public utterances of the clubwomen themselves," whenever, in the editor's opinion, "it has added to the interest of historical value" of the work. The administrations are treated in chronological order. An account of the twentieth anniversary celebration in Waco, November, 1917, forms the last chapter. There are full-page portraits of the first ten presidents of the Federation, a table of contents, and an index. The book contains several bits of original verse, among which are: "Clubwomen," by Mary B. Saunders; "Blue Bonnets," giving the legendary origin of the flower, by Mary Hunt Affleck; and an anonymous "Federation Song."

"The story of Old Frenchtown" is told by Mrs. Louella Stiles Vincent and printed in the *Dallas News* of November 23, 1919. According to this writer, La Reunion was founded by Victor Considerant in 1855 "near what is now Cement City, about two miles northwest of Oak Cliff" in Dallas County. About five hundred emigrants enlisted in the enterprise. The principal part of Mrs. Vincent's article consists of reminiscences gathered among the survivors and the descendants of survivors yet living in Dallas a few years ago.

The Journal of Negro History for January, 1920, contains an article entitled "Some negro members of reconstruction conventions and legislatures and of congress." The list for Texas is very incomplete; the record of R. L. Smith is given in detail.

Under the title of "A truer story of the Bowie knife," Dr. J. O. Dyer contributes an article to the *Galveston News* of March 21, 1920, which describes the uses of this weapon rather than its manufacture.

"The Indians of the Southwest in the diplomacy of the United States and Mexico, 1848-1853," is the title of a paper contributed by J. Fred Rippy to the *Hispanic American Historical Review,* August, 1919.

NEWS ITEMS

George Farmer Burgess, congressman, 1901 to 1917, died at his home in Gonzales, Texas, December 31, 1919.

Judge A. B. Davidson, lieutenant-governor of Texas, 1907 to 1913, died at his home in Cuero, February 3, 1920.

A well written biographical sketch of George B. Dealy was printed in the *Texas Christian Advocate* of February 19, 1920.

Colonel William L. Crawford, a prominent lawyer and member of the Texas constitutional convention of 1875, died at Dallas February 17, 1920.

Dr. Edwin W. Fay, for the past twenty-one years professor of Latin in the University of Texas, died at Pittsburgh, Pennsylvania, February 17, 1920.

The need of a great State museum in Texas was discussed by Dr. Alex Dienst, of Temple, at the annual meeting of the Texas State Historical Association. The large dailies on March 14 gave prominence to this discussion.

William Rogers Houston, the third son of General Sam Houston, died at Hugo, Oklahoma, March 8, 1920. He is survived by one brother, Colonel A. J. Houston of San Antonio, and three sisters, Mrs. Nannie E. Morrow of Houston, Mrs. Mary W. Morrow of Abilene, and Mrs. Nettie Houston Bringhurst of San Antonio.

Mrs. Joseph Burton Dibrell, of Seguin, died at San Antonio, February 12, 1920. Mrs. Dibrell was a prominent member of several of the patriotic organizations of women in this State, was president of the Texas Federation of Women's Clubs, 1907-1909, president of the Texas Fine Arts Association from its organization, and a member of the State Library and Historical Commission since 1911.

AFFAIRS OF THE ASSOCIATION.

The Texas State Historical Association met at the University of Texas, March 2, 1920. The president, Mrs. A. B. Looscan, of Houston, presided. Dr. Alex Dienst of Temple, read a paper on the Need of a Great Public Museum for Texas; and a committee consisting of Mrs. A. B. Looscan, Miss Elizabeth West, Dr. W. S. Red, Mr. E. W. Winkler, Dr. Alex Dienst, and Professor H. Y. Benedict, was appointed to organize a movement for the establishment of such a museum. A resolution was adopted expressing the Association's sympathy for Judge Z. T. Fulmore in his illness, and its appreciation for his services to the Association and the State by his investigations. A telegram was sent to Mrs. Lipscomb Norvell, congratulating her on the completiton of the marking of the Old San Antonio Road. A resolution was adopted urging members of the Association to organize local branches in places where as many as ten members of the Association reside, for the collection and study of the sources of Texas history. Fourteen members and three life members of the Association were elected. The following officers were elected for the ensuing year: Mrs. Adele B. Looscan of Houston, president; Messrs. Alex Dienst of Temple, R. C. Crane of Sweetwater, Lewis R. Bryan of Houston, and George W. Littlefield of Austin, vice presidents; Professor Charles W. Ramsdell, corresponding secretary and treasurer; Judge J. C. Townes and Mrs. Pearl Caswell Jackson, members of the Executive Council, the first for the term ending 1923 and the second for the term ending 1926. The editorial staff of THE QUARTERLY was re-elected without change.

Mrs. Looscan presented to the Association a number of manuscripts relating to the early history of Texas; Mrs. Emmett L. Perry exhibited a collection of visiting cards inherited from her father, Colonel Guy M. Bryan. Among the cards are those of Stephen F. Austin, Stephen A. Douglas, Jefferson Davis, and Alexander H. Stephens. Another gift was a picture frame made from the lumber of the first capitol building at Houston.

The Treasurer's report was read as appears below:

Receipts

	1920	1919
Membership dues	$1,172.35	$ 860.27
Sale of THE QUARTERLY	174.46	211.47
Sale of binding	7.50	67.75
Interest	258.12	566.00
Sale of reprints	62.26	.....
Life memberships	50.00	30.00
Donations to endowment	650.00	25.00
Loans paid in	.....	1,335.00
Miscellaneous	25.00	9.00
Total receipts	$2,399.68	$3.104.49

Disbursements

Printing THE QUARTERLY	$ 827.85	$1,005.37
Binding THE QUARTERLY	61.25	29.90
Reprints	65.25	311.84
Clerical help	300.00	288.60
Postage	59.04	94.60
Stationery	19.50	1.30
Loans made	.....	1,750.00
Miscellaneous	56.00	72.14
Total disbursements	$1,388.89	$3,553.75

Excess of receipts over disbursements	$1,010.79
Balance on hand, March 1, 1919:	
In Austin National Bank	$ 156.98
In American National Bank	105.00
Total	$ 261.98
Receipts for the year	2,399.68
	$2,661.76
Disbursements for the year	1,388.89
Balance on hand, February 28, 1920	$1,272.87
In Austin National Bank	$1,167.87
In American National Bank	$ 105.00

CHAS. W. RAMSDELL, Treasurer.

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